

URBAN/MUNICIPAL

CA4 ONHBL A08 50 B6593

1998

CITY OF HAMILTON

ZONING BY-LAW

50 B6593

1998 -

THIS CONSOLIDATION OF THE BY-LAW IS
PREPARED FOR CONVENIENCE ONLY, FOR
ACCURATE REFERENCE PLEASE CHECK
ORIGINAL BY-LAW

The Corporation of the City of Hamilton

BY-LAW NO. 98-17

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 245 MOHAWK ROAD WEST

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 144, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 9.(1) of Zoning By-law No. 6593, a physiotherapy clinic within the building existing at the date of the passing of the By-law and a 75 square metre addition to the existing building shall be permitted; and,
- (b) notwithstanding Section 9.(3)(i) of Zoning By-law No. 6593, a front yard of a depth of at least 5.5 metres shall be provided and maintained; and,
- (c) notwithstanding Section 9.(3)(iii) of Zoning By-law No. 6593, a minimum rear yard of a depth of at least 2.6 m shall be provided and maintained for the existing one storey building; and,
- (d) notwithstanding Section 18A.(1)(a) of Zoning By-law No. 6593, a minimum of 21 parking spaces shall be provided and maintained; and,
- (e) notwithstanding Section 18A.(5)(c) of Zoning By-law No. 6593, "floor area" means the area contained within the perimeter of the building at each floor level, including storeys below grade; and,

- (f) notwithstanding Section 18A.(11)(a) of Zoning By-law No. 6593, the parking area shall be not less than 1.1 m from the westerly side lot line; and,
- (g) notwithstanding Section 18A.(11)(b) of Zoning By-law No. 6593, the parking area shall be not less than 5.8 m from the northerly front lot line; and,
- (h) notwithstanding Section 18A.(1)(d) of Zoning By-law No. 6593, a loading space shall not be required for a physiotherapy clinic.

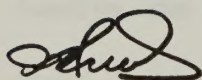
2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1392.

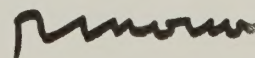
4. Sheets No. W-9 and W-17 of the District Maps are amended by marking the lands referred to in section 1 of this by-law, S-1392.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this eleventh day of December A.D. 1997.



CITY CLERK



MAYOR

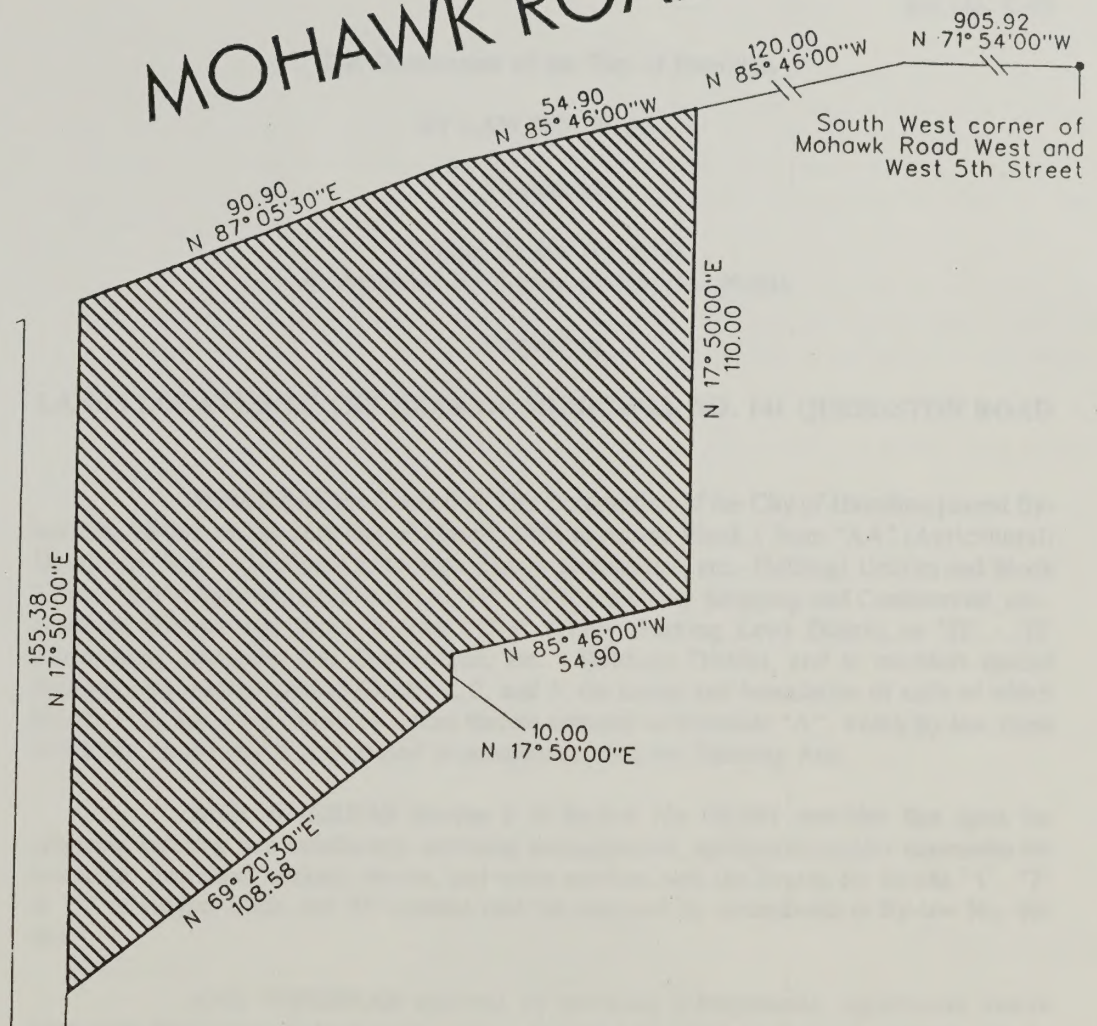
(1997) 16 R.P.D.C. 11, October 28
Kaź Kusmierczak, Owner
ZAC-97-22



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Hamilton Public Library

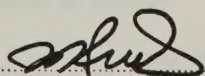
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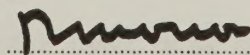
MOHAWK ROAD WEST



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-.17....
Passed the ...11th day of ...December....., 1997.


Clerk


Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 98-.17....

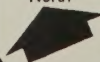
Planning and Development Department

Legend



Modification to the established "C"
(Urban Protected Residential, etc.)
District Regulations

North



Scale
Not to Scale

Date
December 1997

Reference File No.
ZA-97-22

Drawn By
D.L.

The Corporation of the City of Hamilton

BY-LAW NO. 98-20

To Amend:

Zoning By-law No. 6593
As Amended By Zoning By-law No. 96-041

Respecting:

LANDS LOCATED AT THE REAR OF MUNICIPAL NO. 141 QUEENSTON ROAD

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 96-041 on the 26th day of March, 1996 to rezone Block 1 from "AA" (Agricultural) District to "R-4" - 'H'(Small Lot Single-Family Residential, etc.- Holding) District and Block 2 from "AA" (Agricultural) District to "H" - 'H'(Community Shopping and Commercial, etc.- Holding) District and Block 3 from "G-3" (Public Parking Lots) District to "H" - 'H' (Community Shopping and Commercial, etc. - Holding) District, and to establish special requirements with respect to Blocks 1, 2, and 3, the extent and boundaries of each of which Blocks 1, 2, and 3 are shown on a plan thereto annexed as Schedule "A", which By-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS Section 2 of By-law No. 96-041 provides that upon the applicant entering into satisfactory servicing arrangements, agreements and/or easements for municipal storm and sanitary sewers, and water services with the Region for Blocks "1", "2" & "3" of subject lands, the 'H' symbol shall be removed by amendment to By-law No. 96-041;

AND WHEREAS approval of servicing arrangements, agreements and/or easements for municipal storm and sanitary sewers, and water as deemed necessary by the Region have been completed.

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982;

AND WHEREAS City Council in adopting Item 10 of the 1st Report of the Planning and Development Committee at its meeting held on the 11th day of December, 1997 directed that By-law No. 96-041 be amended to remove the 'H' (Holding) symbol in respect of the subject lands;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The 'H' (Holding) symbol affixed by By-law No. 96-041, passed on the 26th day of March, 1996, to the "R-4" - 'H'(Small Lot Single-Family Residential, etc.- Holding) District of Block 1 and to the "H" - 'H'(Community Shopping and Commercial, etc.- Holding) District designation of Blocks 2 and 3, the extent and boundaries of each of which Blocks 1, 2 and 3 are shown on a plan annexed as Schedule "A" to By-law No. 96-041 and forming part thereof is hereby removed, and the development of the lands may proceed in accordance with the "R-4" (Small Lot Single-Family Residential, etc.- Holding) District and the "H" (Community Shopping and Commercial, etc.) District provisions of Zoning By-law No. 6593, subject to the special requirements referred to in section 3. of By-law No. 96-041.

2. Sheet No. E-124 and E-125 of the District Maps, appended to and forming part of Zoning By-law No. 6593, as amended by section 1. of By-law No. 96-041, are further amended by changing Block 1 from "R-4" - 'H'(Small Lot Single-Family Residential, etc.- Holding) District to "R-4" (Small Lot Single-Family Residential, etc.) District and Blocks 2 and 3 from "H" - 'H'(Community Shopping and Commercial, etc.- Holding) District to "H" (Community Shopping and Commercial, etc.) District, the land, the extent and boundaries of each of which Blocks 1, 2 and 3 are shown on a plan hereto annexed as Schedule "A" and forming part of this By-law.

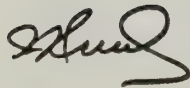
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "R-4" and "H" District provisions, subject to the special requirements referred to in section 3. of By-law No. 96-041.

4. By-law No. 6593, as amended by By-law No. 96-041, is further amended by adding this by-law to section 19B as Schedule S-1347a.

5. Sheet No. E-124 and E-125 of the District Maps, as amended by By-law No. 96-041, are amended by marking the lands referred to in section 1. of this by-law, S-1347a.

6. In all other respects, By-law No. 96-041 is hereby confirmed, unchanged.

PASSED this eleventh day of December A.D. 1997.

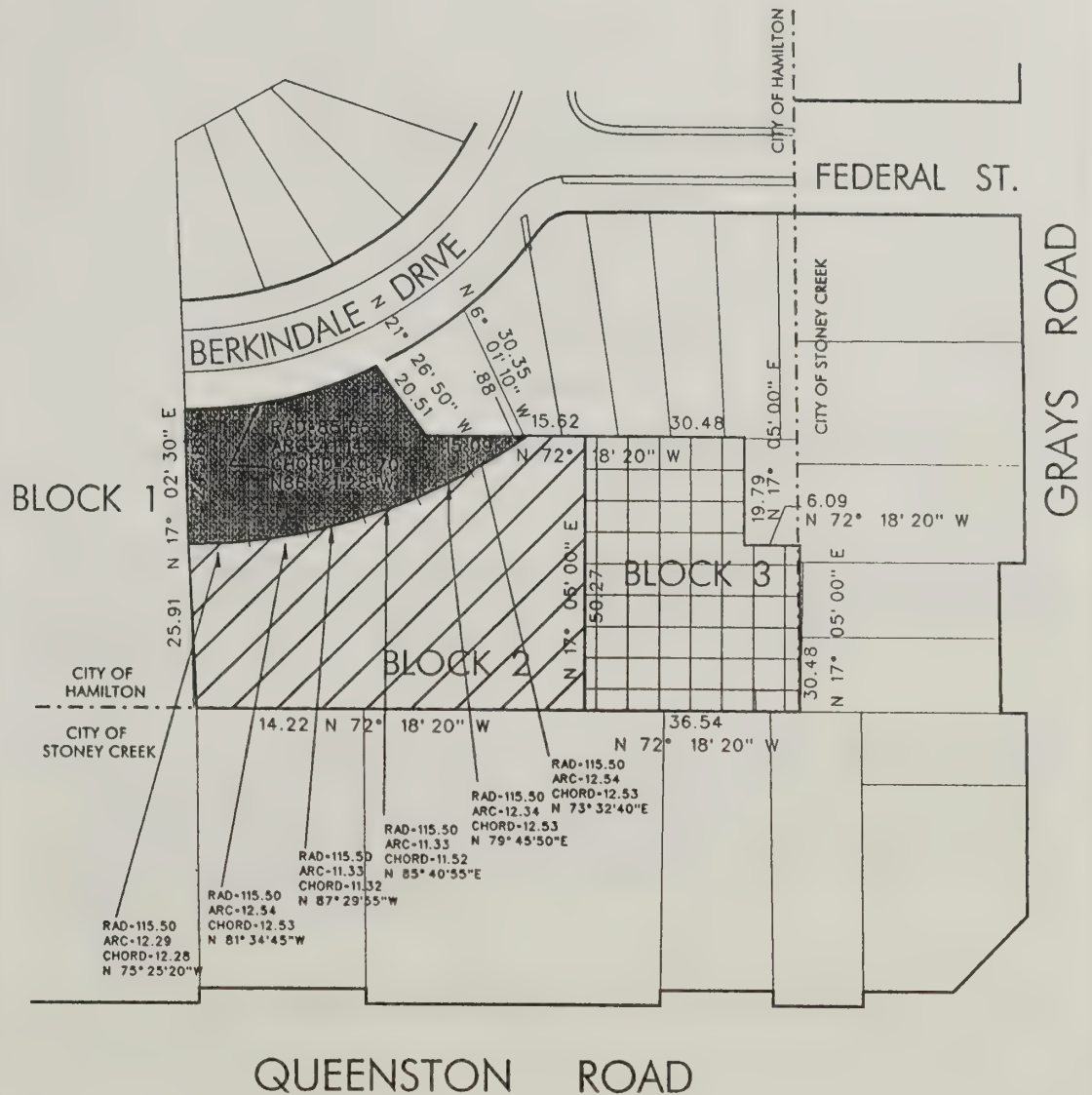


CITY CLERK



MAYOR

(1997) 1 R.P.D.C. 10, December 11
1104729 Ontario Ltd. (Alan Goulding), owner
ZAR-96-14



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-20.....
Passed the 11th day of December, 1997.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 98-20....
to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from:

- BLOCK 1** "R-4"-H' (Small Lot Single Family Dwelling - Holding) District, to "R-4" (Small Lot Single - Family Dwelling) District.
- BLOCK 2** "H"-H' (Community Shopping and Commercial, etc. - Holding) District, Modified, to "H" (Community Shopping and Commercial, etc.) District, Modified.
- BLOCK 3** "H"-H' (Community Shopping and Commercial, etc. - Holding) District, Modified, to "H" (Community Shopping and Commercial, etc.) District, Modified.



Scale
Not to Scale
Date
November 1997

Reference File No.
ZAR-96-14
Drawn By
R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 98- 22

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1289 UPPER JAMES STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 142, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-9C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District, the land comprised in Block 1, and
- (b) by changing from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A".

2. The "HH" (Restricted Community Shopping and Commercial) District provisions, as contained in Section 14A. of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 14A.(3)(a) of Zoning By-law No. 6593, a front yard depth of at least 24 metres shall be provided and maintained;

- (b) notwithstanding Section 18.(3)(ivc)(b) of Zoning By-law No. 6593, a landscape planting strip having a minimum width of 6.0 m shall be provided and maintained along the entire easterly lot line of the "HH" District where it abuts a residential district;
- (c) a visual barrier not less than 1.2 m in height and not greater than 2.0 m in height, shall be provided and maintained along the entire easterly lot line of the "HH" District where it abuts a residential district;
- (d) a minimum 3.0 m wide landscaped planting strip shall be provided and maintained along the entire westerly lot line, except for any area used for driveway access.

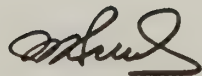
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1388.

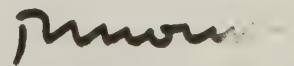
5. Sheet No. E-9C of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1388.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

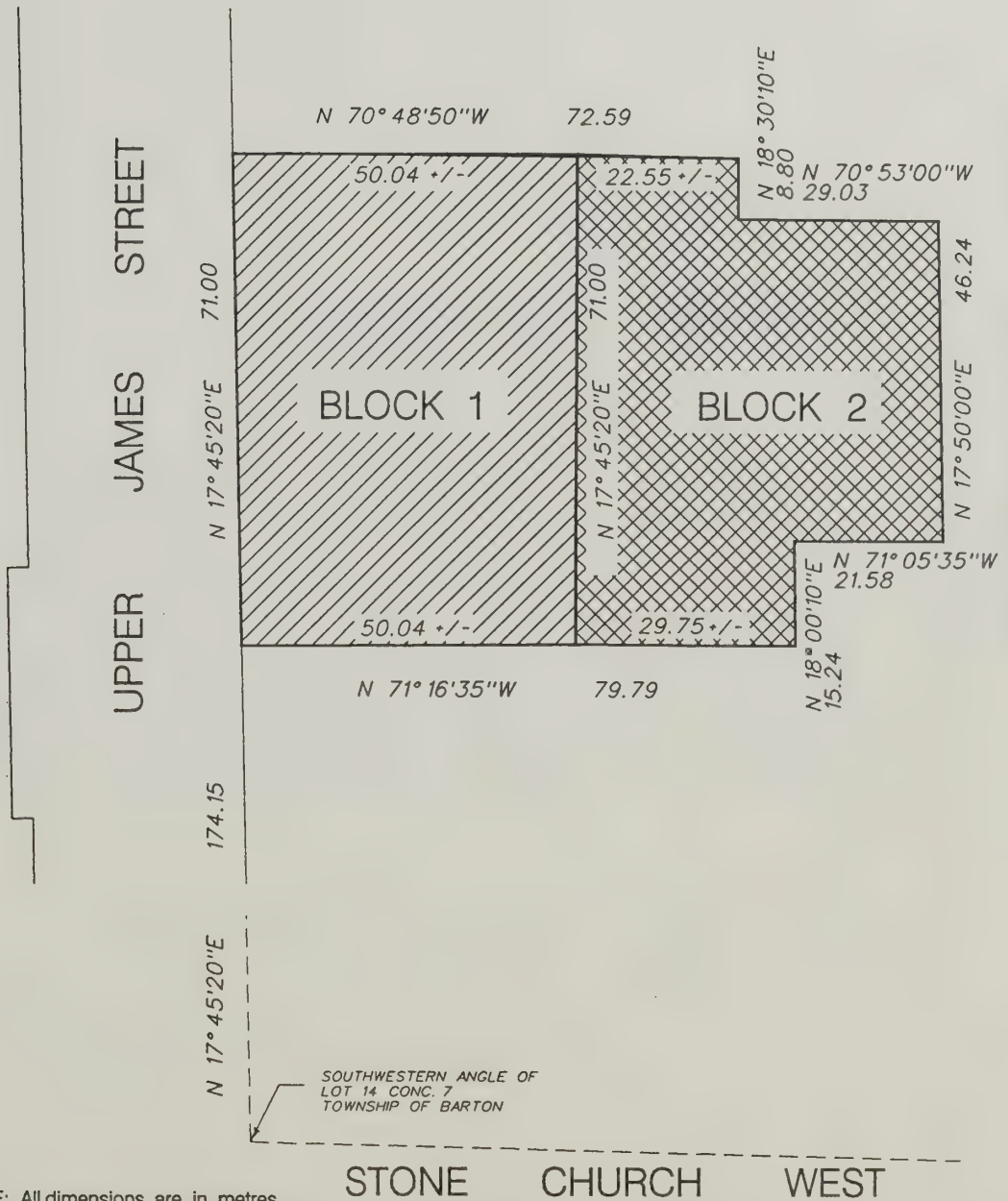
PASSED this eleventh day of December A.D. 199 .



CITY CLERK



MAYOR



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-022
Passed the 1th day of December, 1997.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 98-022

to Amend By-Law No. 6593

Planning and Development Department

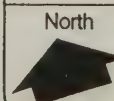
Legend
Change in zoning from:



"C" (Urban Protected Residential, etc.) District to
"HH" (Residential Community Shopping and
Commercial) District, Modified



"AA" (Agricultural) District to "HH" (Residential
Community Shopping and Commercial)
District, Modified



Scale
NOT TO SCALE

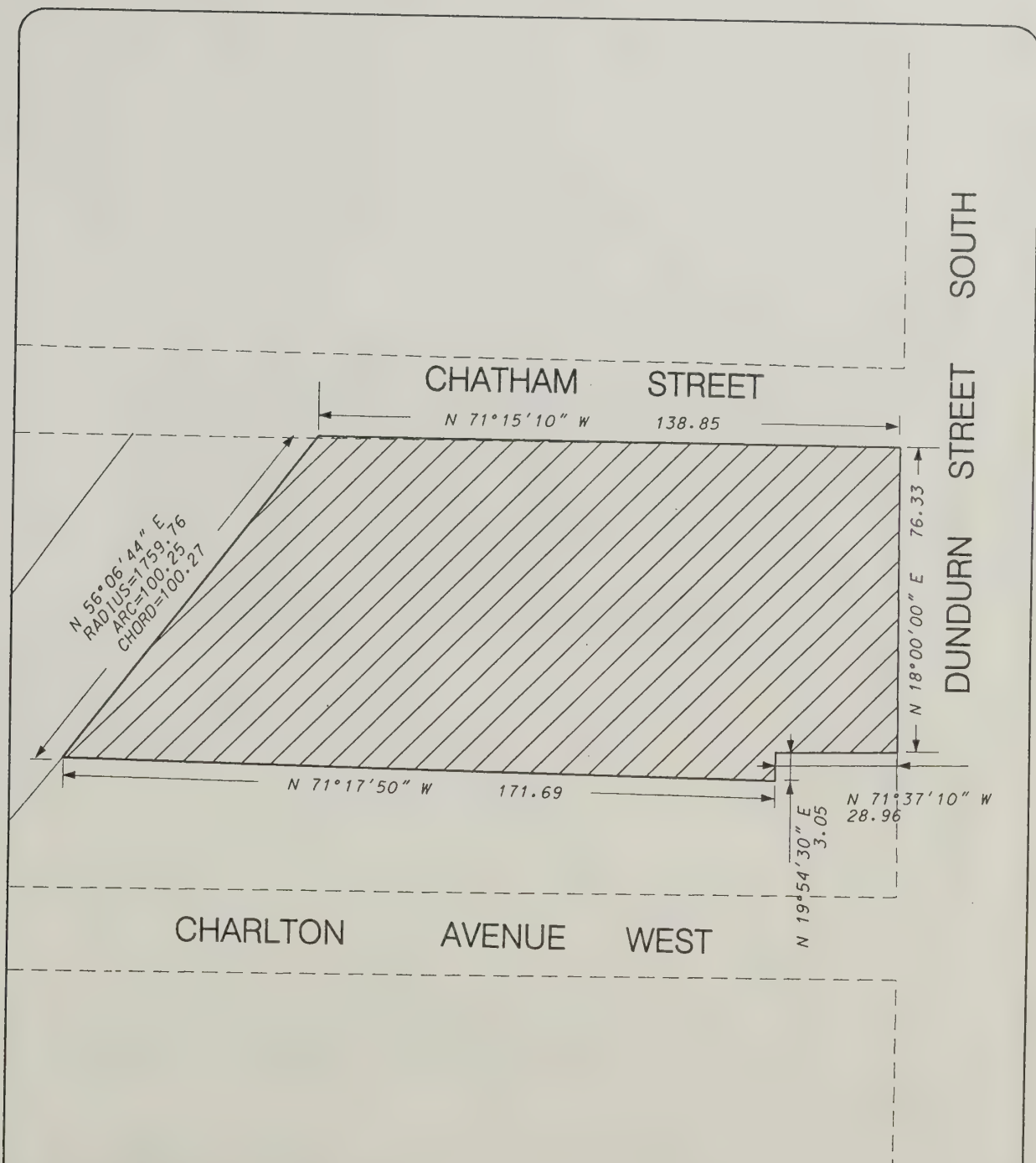
Date
October 1997

Reference File No.

ZAC-97-17

Drawn By

B. B.



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-024
Passed the 11th day of December, 1997.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 98-024

to Amend By-Law No. 6593

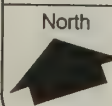
Planning and Development Department

Legend

Change in zoning from:



"D" (Urban Protected Residential –
One and Two Family Dwellings, etc.)
to the "DE"-"H" (Low Density Multiple
Dwellings – Holding) District;

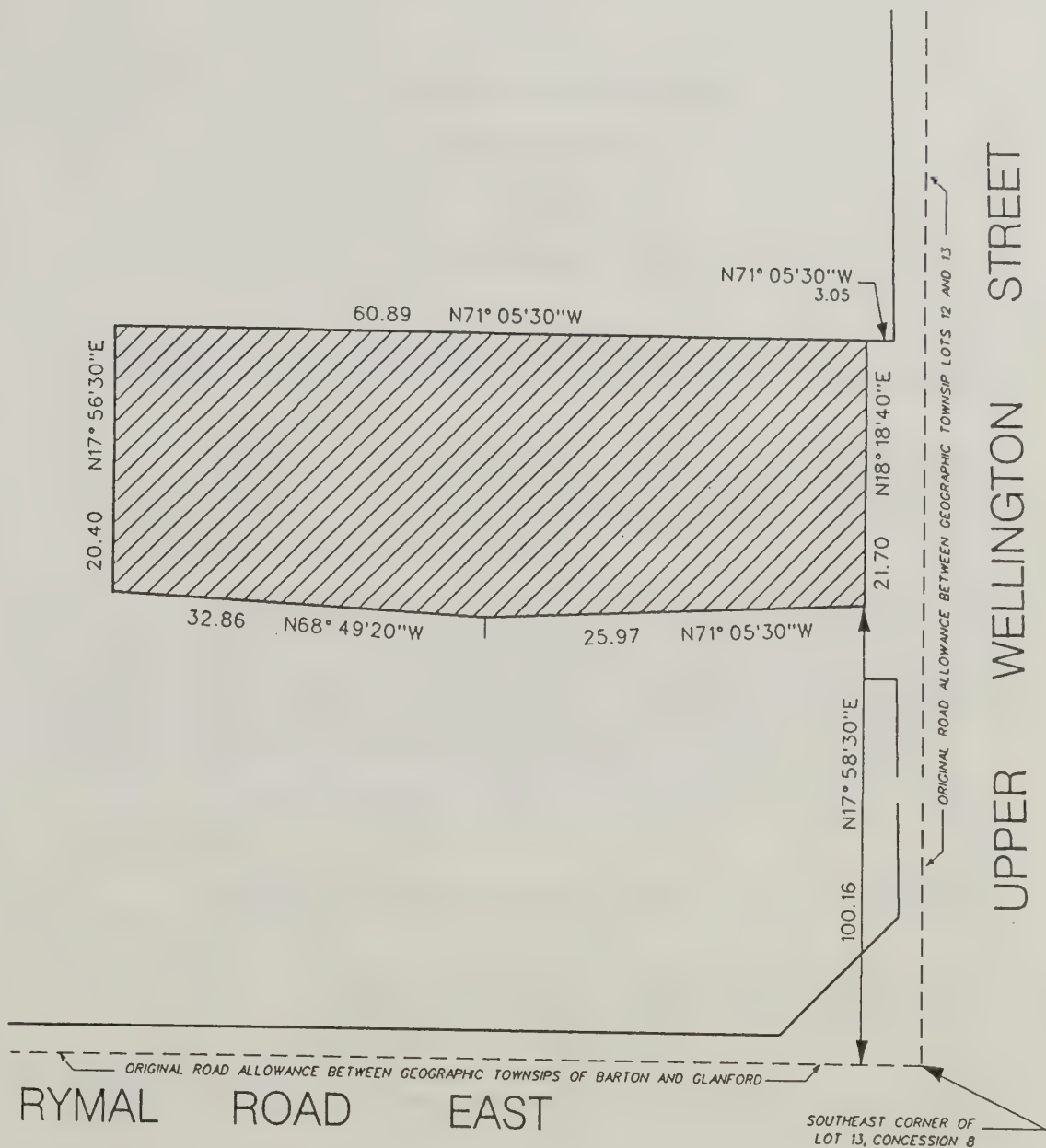


Scale
NOT TO SCALE

Date
November 1997

Reference File No.
ZAC-97-26

Drawn By
R R



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-025
Passed the 11th day of December, 1997.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 98-025

to Amend By-Law No. 6593

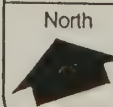
Planning and Development Department

Legend

Change in zoning from:



"AA" (Agricultural) District, to
"C" (Urban Protected Residential, etc.) District



Scale
NOT TO SCALE

Date
November 1997

Reference File No.
ZAC-96-05

Drawn By
B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 98-24

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 220 DUNDURN STREET SOUTH

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982 and with the Official Plan as amended by Official Plan Amendment No. 143, proposed by the Council of The Corporation of the City of Hamilton as By-law No. 97-221, but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-23 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "D" (Urban Protected Residential District - One and Two Family Dwellings, etc.) District to "DE"-H' (Low Density Multiple Dwellings - Holding) District,

the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. (a) The 'H' symbol applicable to the lands referred to in section 1 shall be removed conditional upon the applicant,

- (i) submitting a signed Record of Site Condition (RSC) to the Region and the Ministry of Environment and Energy (MOEE). This RSC must be to the satisfaction of the Region, including an acknowledgement of receipt of the RSC by the MOEE;
- (ii) submitting to the satisfaction of the Region studies which demonstrate that the development will not be adversely affected by noise, dust and odour, and if necessary, a justifying impact assessment;
- (iii) submitting to the satisfaction of the Region a noise feasibility study prepared by a qualified professional, with said study containing an investigation of the noise levels impacting the proposed development and the necessity for noise control measures.

(b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in section 1 may at such time proceed in accordance with the "DE" District provisions.

3. The "DE" (Low Density Multiple Dwellings) District provisions, as contained in Section 10A. of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 10A.(2) of Zoning By-law No. 6593, the height of the building shall not exceed 4 storeys and 18 m;
- (b) notwithstanding Section 10A.(3) of Zoning By-law No. 6593, additions over the existing foundation shall maintain the existing front and side yard setbacks;
- (c) notwithstanding Section 18.(4)(ii) of Zoning By-law No. 6593, two accessory buildings, for the exclusive use of the residents at No. 220 Dundurn South, shall be permitted provided that:
 - (i) one accessory building, not exceeding 165 m² in area, may be used for the purposes of storage area, a greenhouse, and woodworking area; and,
 - (ii) one accessory building not exceeding 275 m² in area, may be used for the purposes of storage area, locker/change room for the pool, washroom facilities, and amenity area;
- (d) notwithstanding Section 18.(4)(iii) of Zoning By-law No. 6593, the height of an accessory building shall not exceed 6.0 m;
- (e) notwithstanding Section 18.(4)(iv) of Zoning By-law No. 6593, a minimum 9.0 m southerly side yard setback shall be provided and maintained for an accessory building.

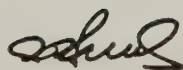
4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any lands be used, except in accordance with the "DE" District provisions, subject to the special requirements referred to in section 3.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1391.

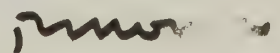
6. Sheet No. W-23 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1391.

7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this eleventh day of December A.D. 1997



CITY CLERK

MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 98 - 25

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED NORTH OF RYMAL ROAD EAST
AND WEST OF UPPER WELLINGTON STREET,
KNOWN MUNICIPALLY AS 1684 UPPER WELLINGTON STREET**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

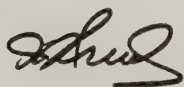
1. Sheet No. E-9D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "AA" (Agricultural) District, to "C" (Urban Protected Residential, etc.) District, the land comprised in Block 1,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this eleventh day of December A.D. 1997



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 98- 27

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 780 UPPER PARADISE ROAD

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "DE" (Low Density Multiple Dwellings) District provisions, as contained in Section 10A. of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 10A. of Zoning By-law No. 6593, a maximum of five (5) townhouse dwellings shall be permitted subject to the "RT 20" (Townhouse-Maisonette) District provisions of Section 10E. except for the following:
 - (i) A minimum 3.0 m setback shall be permitted along the northerly lot line; and,
 - (ii) A minimum 1,131.58 m² lot area shall be permitted;
- (b) notwithstanding Section 18A.(1) of Zoning By-law No. 6593, a minimum six (6) parking spaces shall be required.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1389.

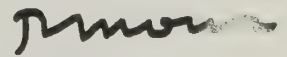
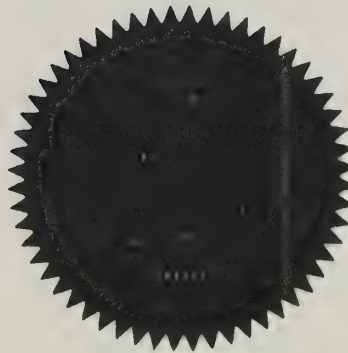
4. Sheet No. W37B of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1389.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this eleventh day of December A.D. 1997.



CITY CLERK



MAYOR

(1997) 14 R.P.D.C. 4, September 30
A.R.P. Construction Ltd., Owner
ZAC-97-12

The Corporation of the City of Hamilton

BY-LAW NO. 98- 041

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 780 UPPER PARADISE ROAD

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "DE" (Low Density Multiple Dwellings) District provisions, as contained in Section 10A. of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 10A. of Zoning By-law No. 6593, a maximum of five (5) townhouse dwellings shall be permitted subject to the "RT-20" (Townhouse-Maisonette) District provisions of Section 10E., except for the following:
 - (i) A minimum 3.0 m setback shall be permitted along the northerly lot line; and,
 - (ii) A minimum 1,131.58 m² lot area shall be permitted;
- (b) notwithstanding Section 18A.(1) of Zoning By-law No. 6593, a minimum six (6) parking spaces shall be required.

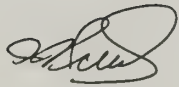
2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1389.

4. Sheet No. W37B of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1389.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 27th day of January A.D. 1998.

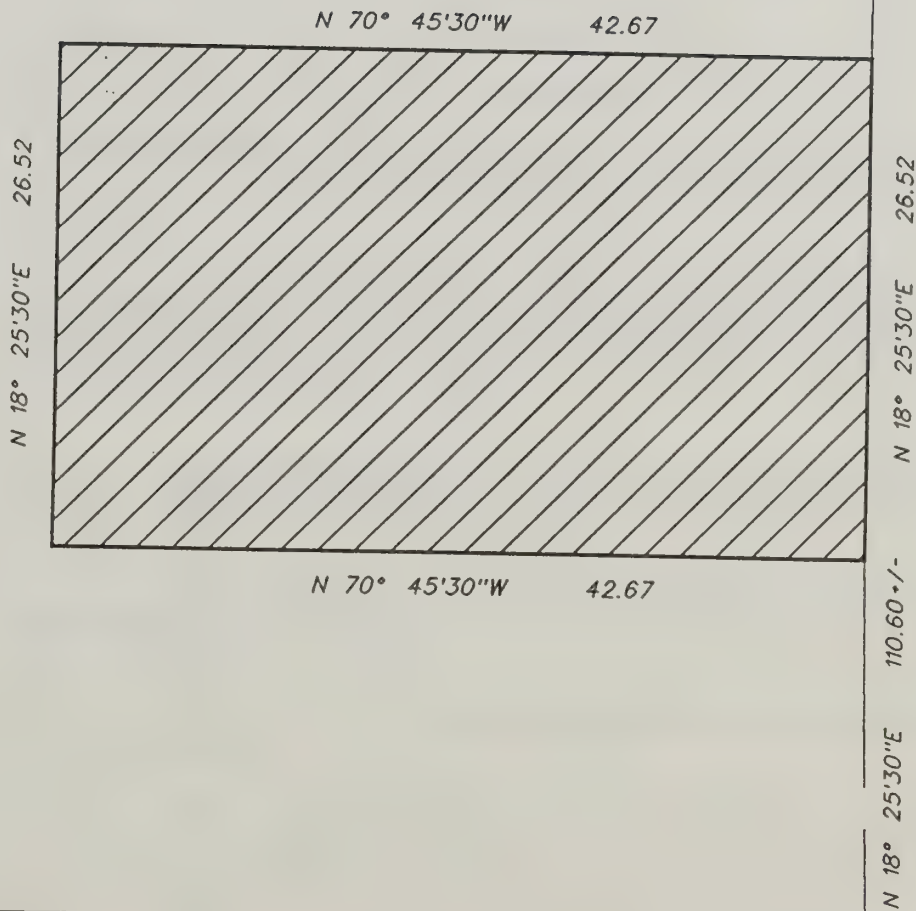


CITY CLERK



MAYOR

(1997) 14 R.P.D.C. 4, September 30
A.R.P. Construction Ltd., Owner
ZAC-97-12

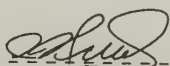


UPPER PARADISE ROAD

NOVOCO DR.

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-041
Passed the 27th day of January, 1998.


Clerk


Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 98-041
to Amend By-Law No. 6593

Planning and Development Department

Legend



Modification to the "DE" (Low Density Multiple Dwellings) District; regulations

North



Scale
NOT TO SCALE

Date

Reference File No.
ZAC-97-12

Drawn By

The Corporation of the City of Hamilton

BY-LAW NO. 98-060

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED NORTH OF MUD STREET, EAST OF MOUNT ALBION ROAD
AND WEST OF THE MUNICIPAL BOUNDARY**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E79B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "A" (Conservation, Open Space, Park and Recreation) District to "B-2" (Suburban Residential) District, the land comprised in Block 1;
- (b) by changing from "A" (Conservation, Open Space, Park and Recreation) District to "C"-'H' (Urban Protected Residential, etc. - Holding) District, the land comprised in Block 2; and,
- (c) by changing from "A" (Conservation, Open Space, Park and Recreation) District to "R-4"-'H' (Small Lot Single Family Dwelling - Holding) District, the land comprised in Block 3,

the extent and boundaries of each of which Blocks 1, 2 and 3 are shown on a plan hereto annexed as Schedule "A".

2. (a) The 'H' symbol applicable to the land comprised in Blocks 2 and 3 shall be removed conditional upon Mud Street being realigned to the east and Mud Street reverting to a local cul-de-sac roadway;

(b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands comprised in Blocks 2 and 3 may at such time proceed in accordance with the "C" District and "R-4" District provisions.

3. The "R-4" (Small Lot Single Family Detached) District provisions, as contained in Section 9A of Zoning By-law No. 6593, applicable to the land comprised in Block 3 are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 9A.2.(b)1.(ii)B. of Zoning By-law No. 6593, the corner lot shall have a westerly side yard of not less than 3.0 m; and,
- (b) notwithstanding Section 9A.2.(c) of Zoning By-law No. 6593, the corner lot shall have a minimum lot width of 13 m and all other lots shall have a minimum lot width of 10 m.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "R-4" District provisions, subject to the special requirements referred to in section 3.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1394.

6. Sheet No. E79B of the District Maps is amended by marking the lands referred to in section 1.(c) of this by-law, S-1394.

7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

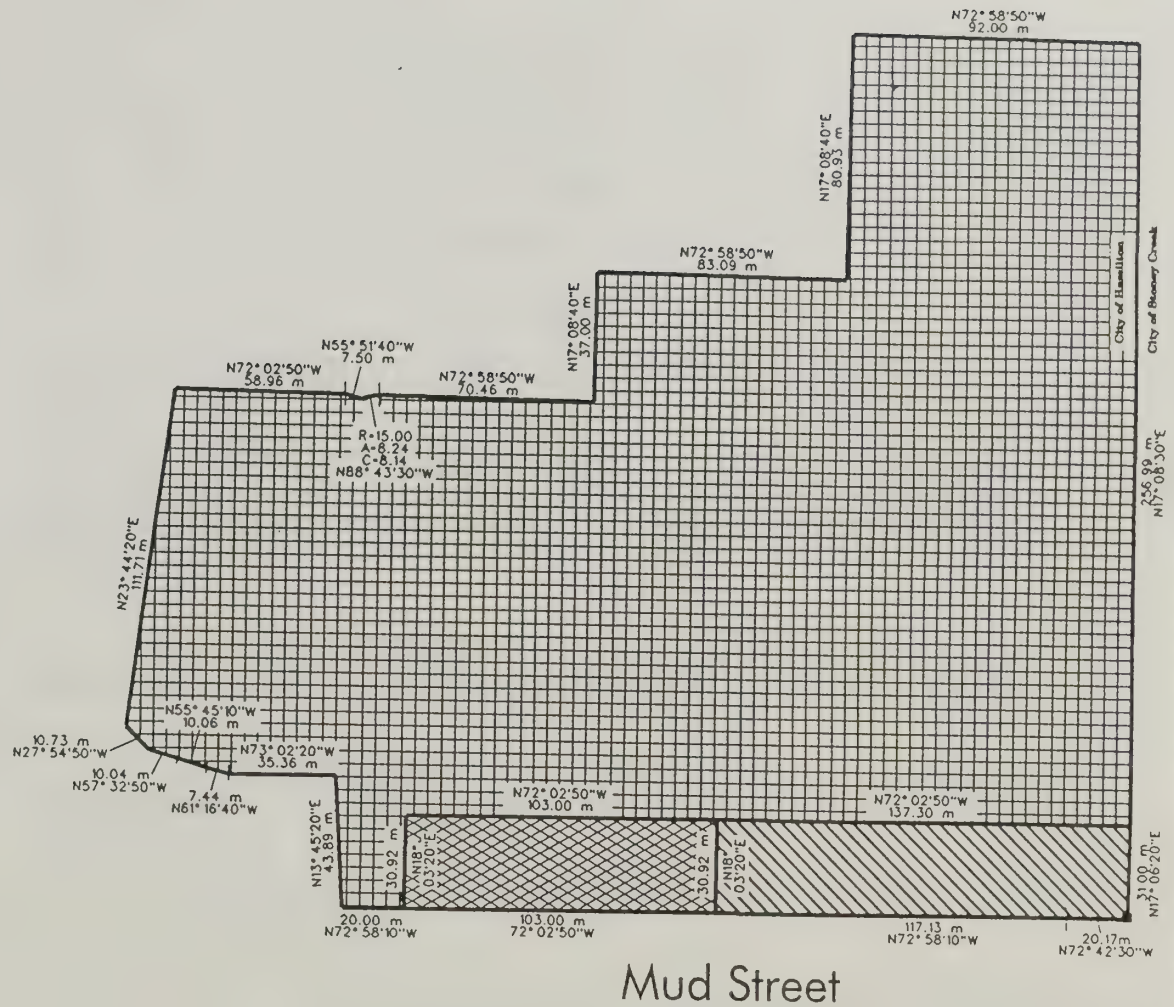
PASSED this *Tenth* day of *February* A.D. 1998



CITY CLERK

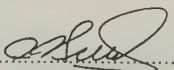



MAYOR



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-..060..
Passed the ...10th day of February....., 1998.


Clerk


Mayor

City of Hamilton

Schedule A

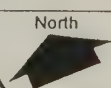
Map Forming Part of
By-Law No. 98-..060..

Planning and Development Department

Legend

Change in zoning from "A" (Conservation, Open Space, Parkland and Recreation) District to:

-  "B-2" (Suburban Residential) District
-  "C"-"H" (Urban Protected Residential, etc. -Holding) District
-  "R-4"-"H" (Small Lot Single Family Dwelling -Holding) District



Scale
Not to Scale
Date
February 1998

Reference File No.
CI-97-D
Drawn By
D.L.

The Corporation of the City of Hamilton

BY-LAW NO. 98- 061

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 21 BRANTDALE AVENUE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-7 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) District to "R-4"- 'H' (Small Lot Single Family Detached - Holding) District, the land comprised in Block 1; and,
- (b) by changing from "C" (Urban Protected Residential, etc.) District to "C"- 'H' (Urban Protected Residential, etc. - Holding) District, the land comprised in Blocks 2 and 3,

the extent and boundaries of each of which Blocks 1, 2 and 3 are shown on a plan hereto annexed as Schedule "A".

2. (a) The 'H' symbol applicable to the land comprised in Blocks 1, 2 and 3 shall be removed conditional upon the owner submitting a signed Record of Site Condition (RSC) to the Region and the Ministry of Environment and Energy (MOEE), to the satisfaction of the Region, including an acknowledgement of receipt of the RSC by the MOEE;

(b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands comprised in Blocks 1, 2 and 3 may at such time proceed in accordance with the "R-4" District and "C" District provisions.

3. The "R-4" (Small Lot Single Family Detached) District provisions, as contained in Section 9A of Zoning By-law No. 6593, applicable to the land comprised in Block 1 are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 9A.(2)(c)1. of Zoning By-law No. 6593, a minimum average lot width of 9.0 m shall be permitted.

4. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the land comprised in Block 2 are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 9.(4) of Zoning By-law No. 6593, a minimum lot width of at least 11.43 m and a minimum lot area of 318.0 m² shall be permitted.

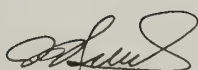
5. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "R-4" District and "C" District provisions, subject to the special requirements referred to in sections 3 and 4.

6. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1393.

7. Sheet No. W-7 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1393.

8. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

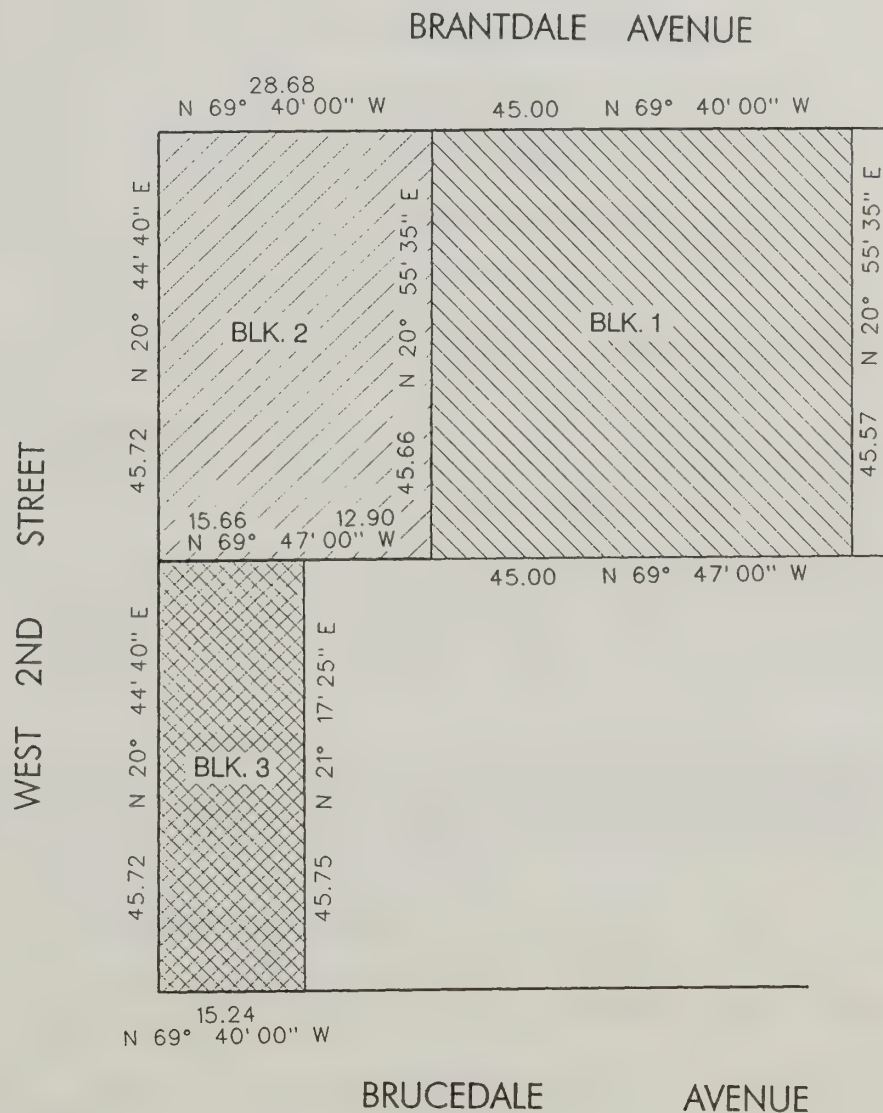
PASSED this *Tenth* day of *February* A.D. 1998



CITY CLERK



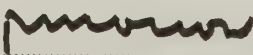

MAYOR



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-061
Passed the 10th day of February, 1998.


Clerk


Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 98-061
to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from:

BLK. 1



"C" (Urban Protected Residential, etc.) District to
"R-4"-H' Small Lot Single Family Detached -
Holding) District, Modified.

BLK. 2



"C" (Urban Protected Residential, etc.) District to
"C"-H' (Urban Protected Residential, etc. -
Holding) District, Modified.

BLK. 3



"C" (Urban Protected Residential, etc.) District to
"C"-H' (Urban Protected Residential, etc. -
Holding) District.

North



Scale
Not to Scale

Reference File No.
ZAC-97-30

Date
Feb. 1998

Drawn By
R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 98- 062

To Repeal:

Zoning By-law No. 98-27

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 780 UPPER PARADISE ROAD

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July, 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 98-27 on the 11th day of December, 1997, to establish special requirements under Section 10A of Zoning By-law No. 6593, for the "DE" District, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 98-041 on the 27th day of January, 1998, to establish special requirements under Section 10A of Zoning By-law No. 6593, for the "DE" District, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS it is expedient to repeal By-law No. 98-27 as it is redundant.

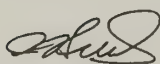
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 98-27, passed on the 11th day of December, 1997, is hereby repealed in its entirety.

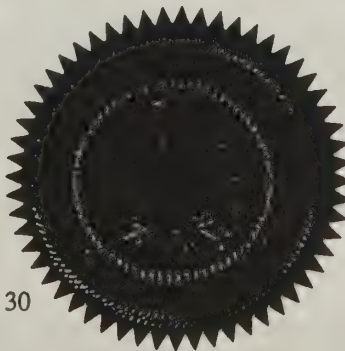
PASSED this *Tenth* day of

February

A.D. 1998.



CITY CLERK



MAYOR

(1997) 14 R.P.D.C. 4, September 30
A.R.P. Construction Ltd., Owner
ZAC-97-12

The Corporation of the City of Hamilton

BY-LAW NO. 98- 064

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED AT THE REAR OF MUNICIPAL NOS.
1451-1471 UPPER JAMES STREET AND SOUTH EAST OF DICENZO DRIVE**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-9D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, the land comprised in Blocks "1" and "3" ;
- (b) by changing from "C" (Urban Protected Residential, etc.) District to "RT-30" (Street-Townhouse) District, the land comprised in Block "2";
- (c) by changing from "RT-30" (Street-Townhouse) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, the land comprised in Block "4";

the extent and boundaries of each of which Blocks 1, 2, 3 and 4 are shown on a plan hereto annexed as Schedule "A".

2. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, applicable to the lands comprised in Blocks "1", "3" and "4" are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 10.(4)(ii) of Zoning By-law No. 6593, a two family dwelling shall provide and maintain a lot width of at least 16.0 m and an area of at least 515.0 m².

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1395.

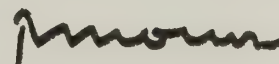
5. Sheet No. E-9D of the District Maps is amended by marking the lands referred to in section 1. (a) and (c) of this by-law, S-1395.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this *Tenth* day of *February* A.D. 1998

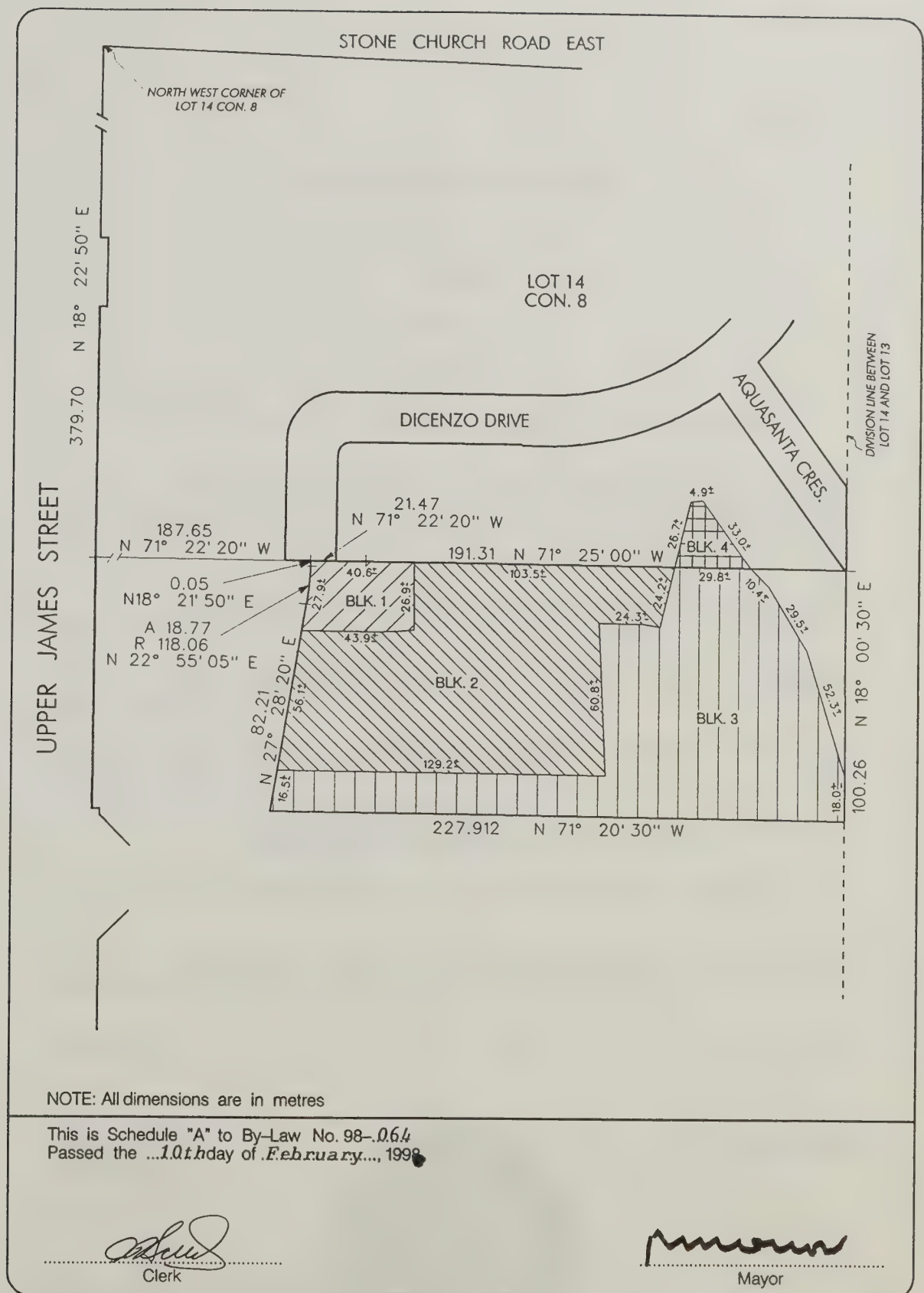


CITY CLERK



MAYOR

(1998) 3 R.P.D.C. __, February 10
900074 Ontario Inc. Setay Investment c/o Mr. Gordon Albini, Owner
Amended ZAC-97-24



City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 98-064...
to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from:

BLK. 1  "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified.

BLK. 2  "C" (Urban Protected Residential, etc.) District to "RT-30" (Street - Townhouse) District.

BLK. 3  "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified.

BLK. 4  "RT-30" (Street - Townhouse) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified.

North	Scale Not to Scale	Reference File No. ZAC-97-24
	Date Feb. 1998	Drawn By R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 98 - 073

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 166 QUEENSTON ROAD

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

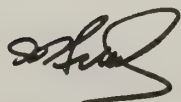
1. Sheet No. E-9D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "H" (Community Shopping and Commercial, etc.) District to "C" (Urban Protected Residential, etc.) District,

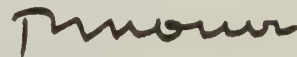
the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 24th day of February A.D. 1998

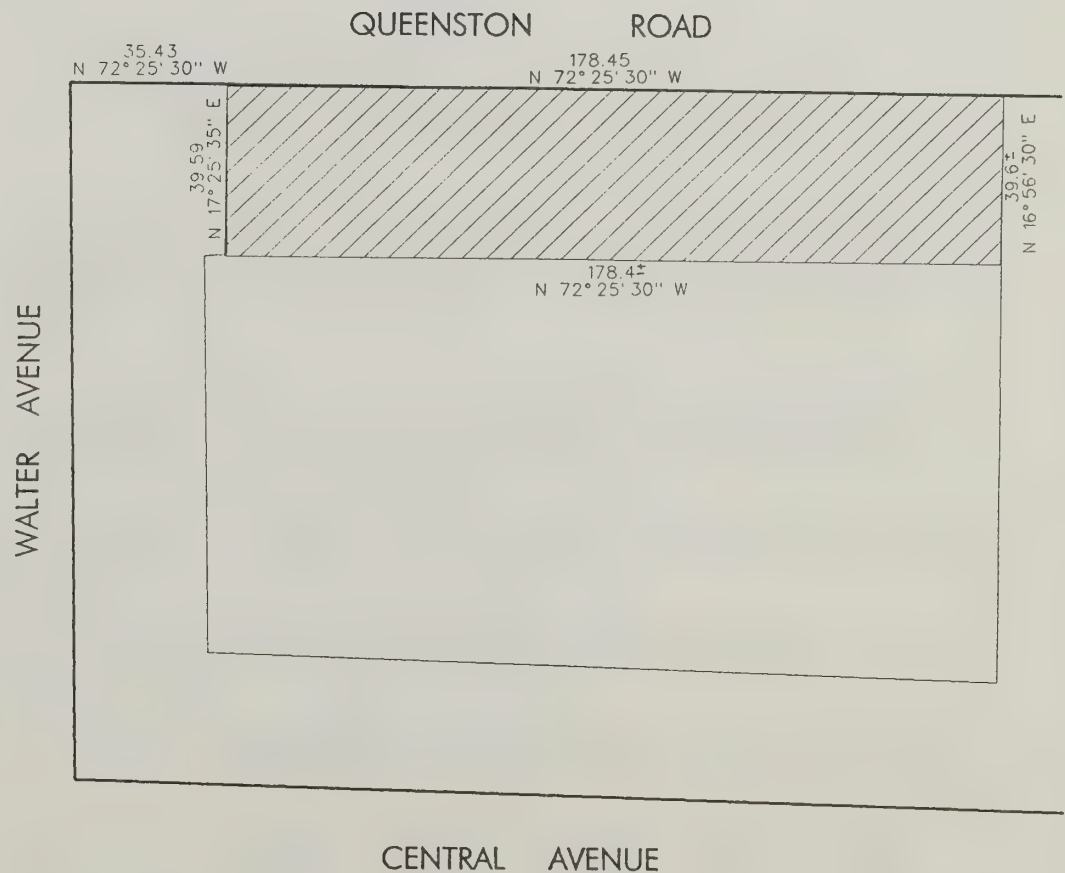


CITY CLERK



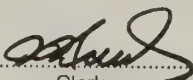
MAYOR

(1998) 2 R.P.D.C. 2, January 27
CI-97-C



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-073
Passed the 24th day of February, 1998.


Clerk


Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 98-073...
to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in Zoning From:



BLK 1
"H" (Community Shopping and Commercial,
etc.) District, to "C" (Urban Protected
Residential, etc.) District.

North



Scale
Not to Scale

Date
Feb. 1998

Reference File No.
CI-97-C

Drawn By
R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 98 - 075

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED NORTH OF RYMAL ROAD EAST
AND WEST OF UPPER WELLINGTON STREET,
KNOWN MUNICIPALLY AS 177 RYMAL ROAD EAST**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-9D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District, to "R-4" (Small Lot Single Family Dwelling) District, the land comprised in Block 1; and
- (b) by changing from "AA" (Agricultural) District, to "R-4" (Small Lot Single Family Dwelling) District, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A".

2. The provisions of the "R-4" (Small Lot Single Family Dwelling) District, as contained in Section 9A of Zoning By-law No. 6593, applicable to the land comprised in Block 1, are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 9A.(2)(b) of Zoning By-law No. 6593, the single family dwelling existing at the time of the passing of this by-law, known municipally as 177 Rymal Road East, shall provide and maintain the following setbacks:
 - (i) 9.9 metres from the northerly lot line;
 - (ii) 4.3 metres from the southerly lot line;
 - (iii) 1.2 metres from the westerly lot line;
 - (iv) 1.2 metres from the easterly lot line.

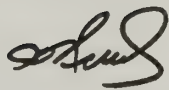
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "R-4" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1379.

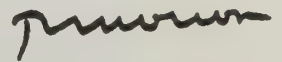
5. Sheet No. E-9D of the District Maps is amended by marking the lands referred to in section 1.(a) and (b) of this by-law, S-1379.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 24th day of February A.D. 1998

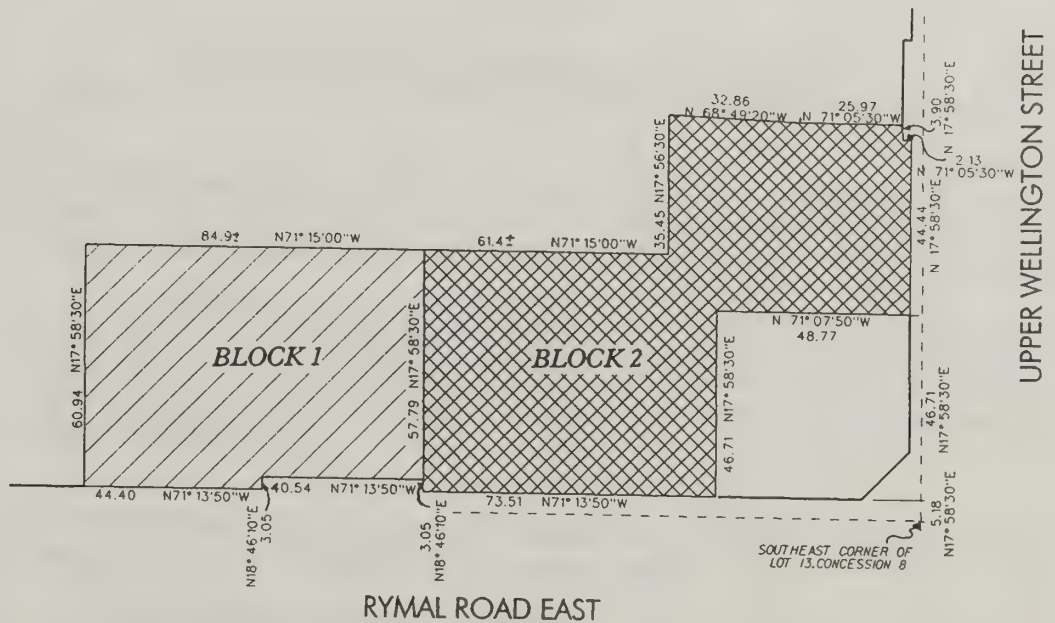


CITY CLERK



MAYOR

(1998) 4 R.P.D.C. 5, February 24
Paul Silvestri, Owner
Amended ZAC-96-05



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-075
 Passed the 24th day of February, 1998.

[Signature]
 Clerk

[Signature]
 Mayor

City of Hamilton

Schedule A

Map Forming Part of
 By-Law No. 98-075
 to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in Zoning from:

- BLK 1 "AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District, Modified.
- BLK 2 "AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District.

North



Scale
 Not to Scale

Date
 Feb. 1998

Reference File No.
 ZAC-96-05

Drawn By
 R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 98- 088

To Repeal:

Zoning By-law No. 98-064

Respecting:

**LANDS LOCATED AT THE REAR OF MUNICIPAL NOS.
1451-1471 UPPER JAMES STREET AND SOUTH EAST OF DICENZO DRIVE**

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July, 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 98-064 on the 10th day of February, 1998, to establish special requirements under Section 10 of Zoning By-law No. 6593, for the "D" District, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS Notice of the said By-law was not circulated as required by the Planning Act due to the non-payment of the required application fees;

AND WHEREAS it is therefore expedient to repeal the said By-law No. 98-064;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 98-064, passed on the 10th day of February, 1998, is hereby repealed in its entirety.

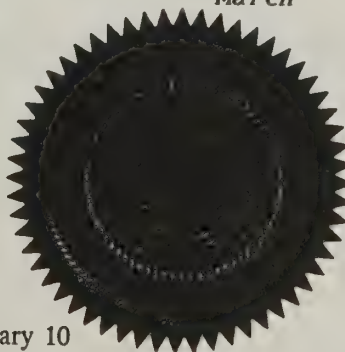
PASSED this 10th day of

March

A.D. 1998.



Acting CITY CLERK



Acting MAYOR

(1998) 3 R.P.D.C. 9(d), February 10
900074 Ontario Inc. Setay Investment c/o Mr. Gordon Albini, Owner
Amended ZAC-97-24

The Corporation of the City of Hamilton

BY-LAW NO. 98- 089

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED AT THE REAR OF MUNICIPAL NOS.
1451-1471 UPPER JAMES STREET AND SOUTH EAST OF DICENZO DRIVE**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-9D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, the land comprised in Blocks "1" and "3" ;
- (b) by changing from "C" (Urban Protected Residential, etc.) District to "RT-30" (Street-Townhouse) District, the land comprised in Block "2";
- (c) by changing from "RT-30" (Street-Townhouse) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, the land comprised in Block "4";

the extent and boundaries of each of which Blocks 1, 2, 3 and 4 are shown on a plan hereto annexed as Schedule "A".

2. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, applicable to the lands comprised in Blocks "1", "3" and "4" are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 10.(4)(ii) of Zoning By-law No. 6593, a two family dwelling shall provide and maintain a lot width of at least 16.0 m and an area of at least 515.0 m².

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1395.

5. Sheet No. E-9D of the District Maps is amended by marking the lands referred to in section 1. (a) and (c) of this by-law, S-1395.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 10th day of March A.D. 1998



Acting CITY CLERK



Acting MAYOR

(1998) 3 R.P.D.C. 9(d), February 10
900074 Ontario Inc. Setay Investment c/o Mr. Gordon Albini, Owner
Amended ZAC-97-24

UPPER JAMES STREET

379.70 N 18° 22' 50" E

NORTH WEST CORNER OF
LOT 14 CON. 8

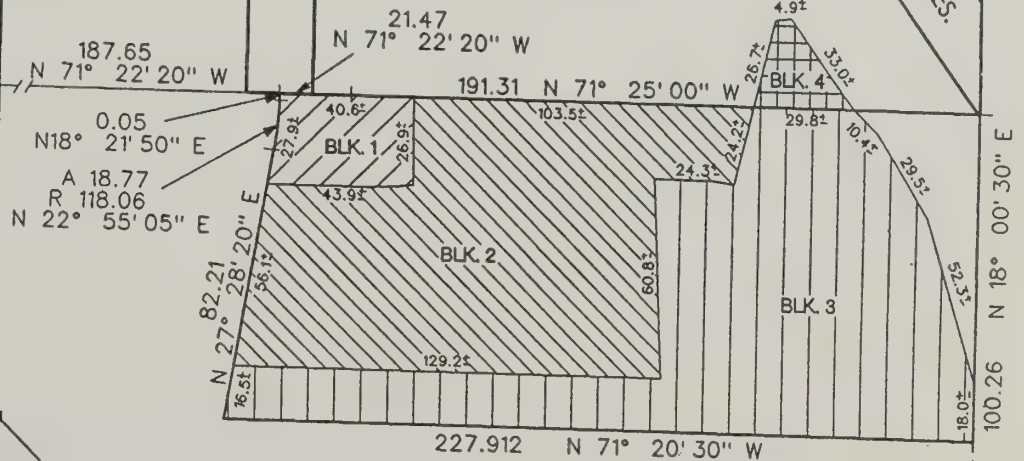
STONE CHURCH ROAD EAST

LOT 14
CON. 8

DICENZO DRIVE

AQUASANTA CRES.

DIVISION LINE BETWEEN
LOT 14 AND LOT 13



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-089
Passed the 10th day of March, 1998.

S. J. Hollenbeck
Acting Clerk

Ron Cini
Acting Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 98-089..
to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from:

- BLK. 1 "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified.
- BLK. 2 "C" (Urban Protected Residential, etc.) District to "RT-30" (Street - Townhouse) District.
- BLK. 3 "C" (Urban Protected Residential, etc.) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified.
- BLK. 4 "RT-30" (Street - Townhouse) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District, Modified.

North



Scale
Not to Scale

Date
Feb. 1998

Reference File No.
ZAC-97-24

Drawn By
R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 98- 091

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1126 GARTH STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-27A of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "RT-20"- 'H' (Townhouse - Maisonette - Holding) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. (a) The 'H' symbol referred to in section 1 shall be removed conditional upon the prospective owner applying for and receiving approval of a Site Plan Control application.

(b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in section 1 may at such time proceed in accordance with the "RT-20" District provisions.

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

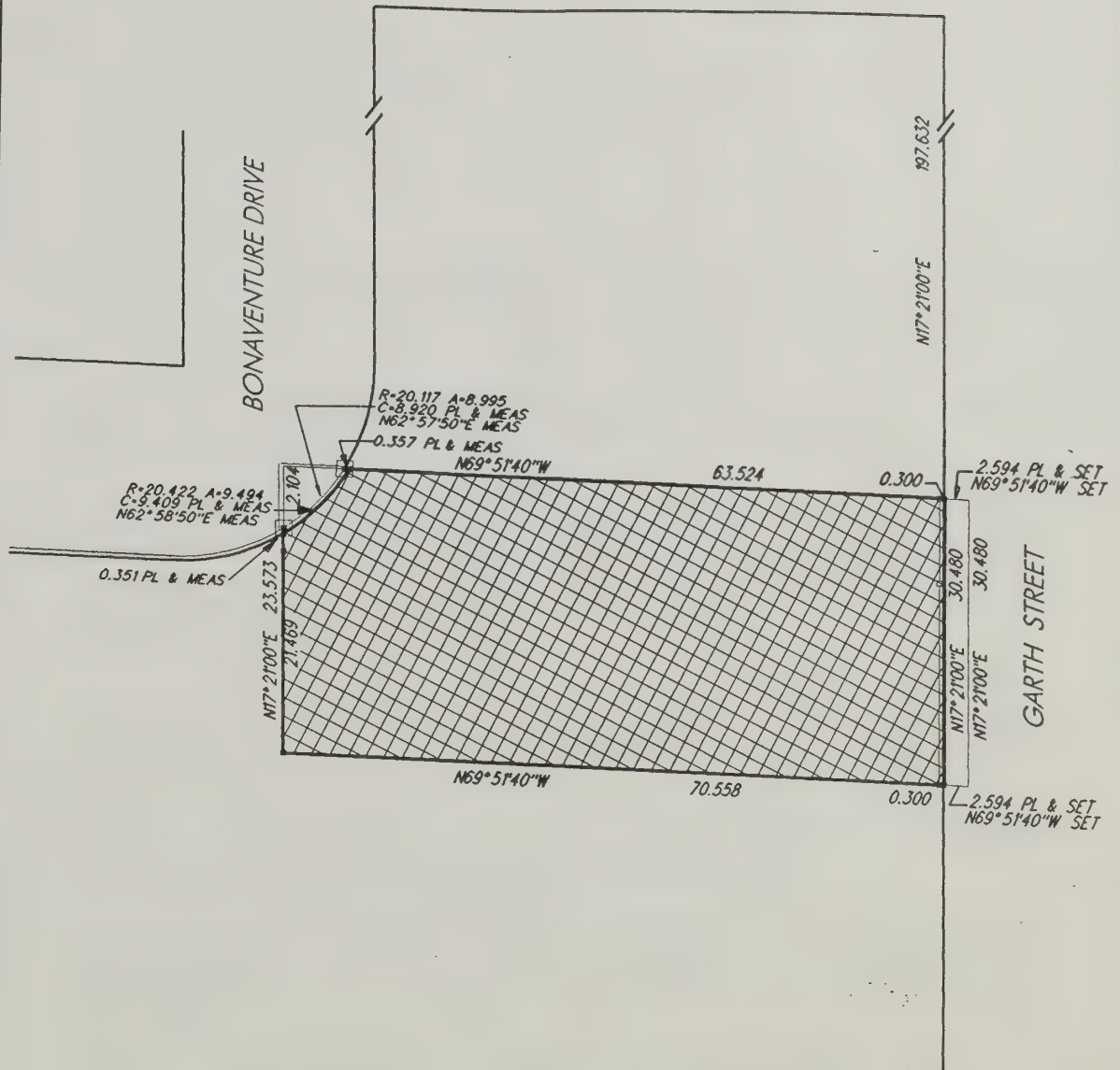
PASSED this 10th day of March A.D. 1998


Acting CITY CLERK




Acting MAYOR

LIMERIDGE ROAD WEST



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-091
Passed the 10th day of March, 1998.

P. J. Wollonell
Acting Clerk

Ron Klein
Acting Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 98-091

to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in Zoning from:



"AA" (Agricultural) District, to "RT-20" - 'H'
(Townhouse - Maisonette - Holding) District.

North



Scale
NOT TO SCALE

Date
FEBRUARY 1998

Reference File No.

ZAC-97-34

Drawn By

B.B.

The Corporation of the City of Hamilton

BY-LAW NO. 98-092

To Amend:

Zoning By-law No. 6593
As Amended By Zoning By-law No. 96-113

Respecting:

**LAND LOCATED AT THE SOUTH-WEST CORNER OF CHEDMAC DRIVE AND
RICE AVENUE (MUNICIPALLY KNOWN AS NO. 60 RICE AVENUE)**

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 96-113 on the 25th day of June, 1996 to rezone Block 2 from "AA" (Agricultural) District to "DE" - 'H' (Low Density Multiple Dwellings - Holding) District, and to establish special requirements with respect to Block 2, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which By-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS Section 3 of By-law No. 96-113 provides that upon the applicant completing a noise study, and any required works, to the satisfaction of the Ministry of Environment and Energy for Block 2 of the subject lands, the 'H' symbol shall be removed by amendment to By-law No. 96-113;

AND WHEREAS approval of the noise study, and any required works to the satisfaction of the Ministry of the Environment have been completed;

AND WHEREAS City Council in adopting Item of the th Report of the Planning and Development Committee at its meeting held on the 10th day of March, 1998 directed that By-law No. 96-113 be amended to remove the 'H' (Holding) symbol in respect of the subject lands;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The 'H' (Holding) symbol affixed by By-law No. 96-113, passed on the 25th day of June, 1996, to Block 2, the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No. 96-113 and forming part thereof is hereby removed, and the development of the lands may proceed in accordance with the "DE" (Low Density Multiple Dwellings) District provisions of Zoning By-law No. 6593, subject to the special requirements referred to in section 4. of By-law No. 96-113.

2. Sheet No. W-37 of the District Maps, appended to and forming part of Zoning By-law No. 6593, as amended by section 2. of By-law No. 96-113, is further amended by changing Block 2 from "DE" - 'H' (Low Density Multiple Dwellings - Holding) District to "DE" (Low Density Multiple Dwellings) District, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this By-law.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE" District provisions, subject to the special requirements referred to in section 4. of By-law No. 96-113.

4. By-law No. 6593, as amended by By-law No. 96-113, is further amended by adding this by-law to section 19B as Schedule S-1357a.

5. Sheet No. W-37 of the District Maps; as amended by By-law No. 96-113, is further amended by marking the land referred to in section 2. of this by-law, S-1357a.

6. In all other respects, By-law No. 96-113 is hereby confirmed, unchanged.

PASSED this 10th day of March A.D. 1998.

D. J. Hollonell

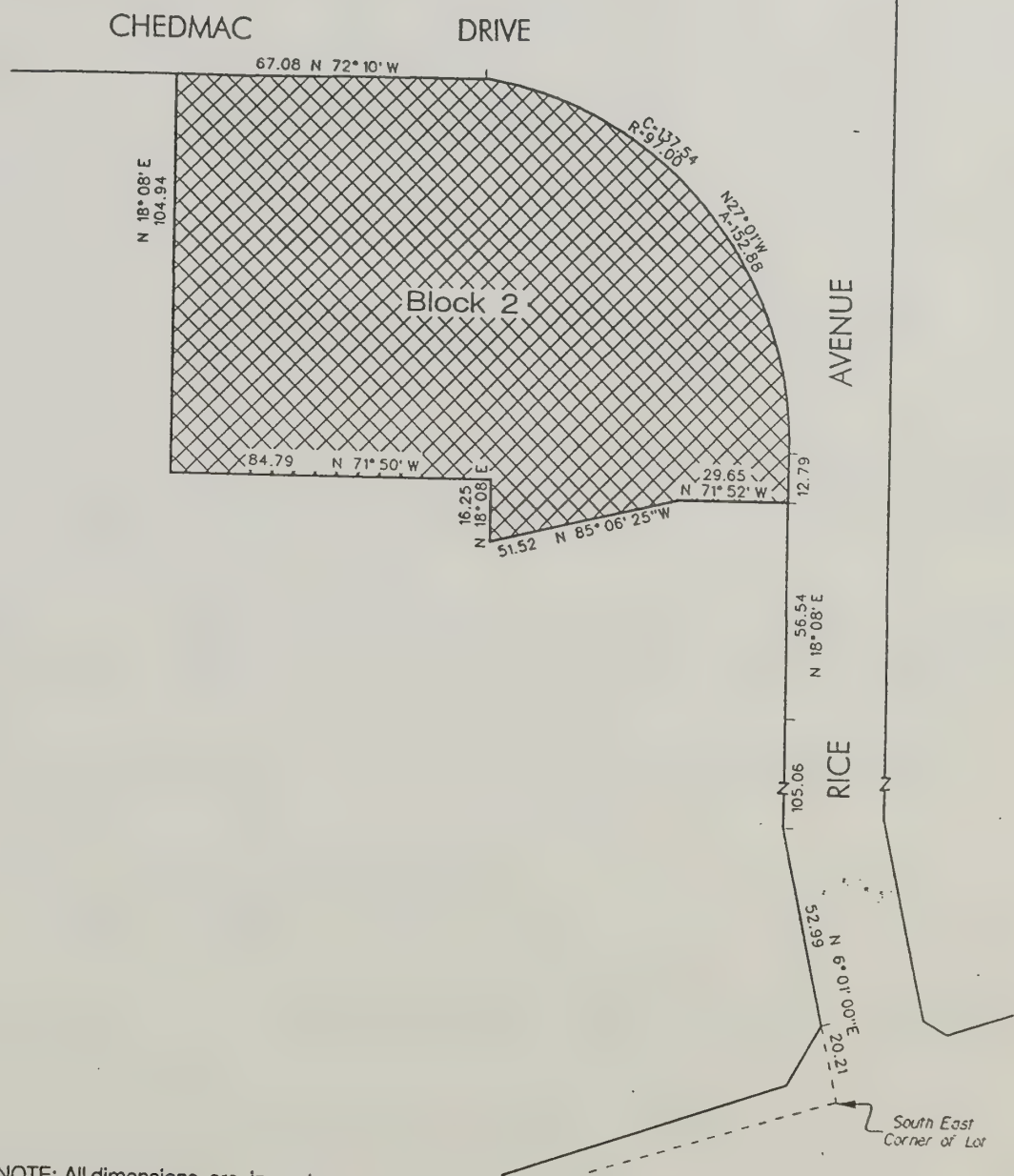
Acting CITY CLERK



Don Oliver

Acting MAYOR

(1998) R.P.D.C. , March 10
Chedoke Hospital Corporation (John C. Pelech), agent
ZAR-98-04



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-092
 Passed the 10th day of March, 1998.

[Signature]
 Acting Clerk

[Signature]
 Acting Mayor

City of Hamilton

Schedule "A"
 Map Forming Part of
 By-Law No. 98-092...
 to Amend By-Law No. 6593
 as Amended By-Law No. 96-113

Planning and Development Department

Legend

Block 2



Change in zoning from "DE"-H' (Low Density Multiple Dwellings - Holding) District, Modified to "DE" (Low Density Multiple Dwellings) District, Modified.

North



Scale
 Not to Scale
 Date
 FEB. 1998

Reference File No.
 ZAR-98-04
 Drawn By
 R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 98- 097

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 184 LOTTRIDGE STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-32 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District, modified,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 14. of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 18A.(36)1.(b) of Zoning By-law No. 6593, a distance of not less than 1.5 m shall be provided and maintained between a residential district and the parking area used in conjunction with a restaurant; and
- (b) notwithstanding Section 18A.(36)1.(b) of Zoning By-law No. 6593, a distance of not less than 7.5 m shall be provided and maintained between a residential district and the manoeuvring area and the access driveway used in conjunction with a restaurant; and

- (c) notwithstanding Section 18A.(36)1.(c) of Zoning By-law No. 6593, a landscaped area of not less than 3.5 m in width shall be provided and maintained along and within the westerly lot line abutting Lottridge Street; and
- (d) no access shall be permitted from Lottridge Street.

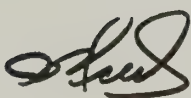
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1396.

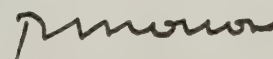
5. Sheet No. E-32 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1396.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 31st day of March 1998 A.D. 1998



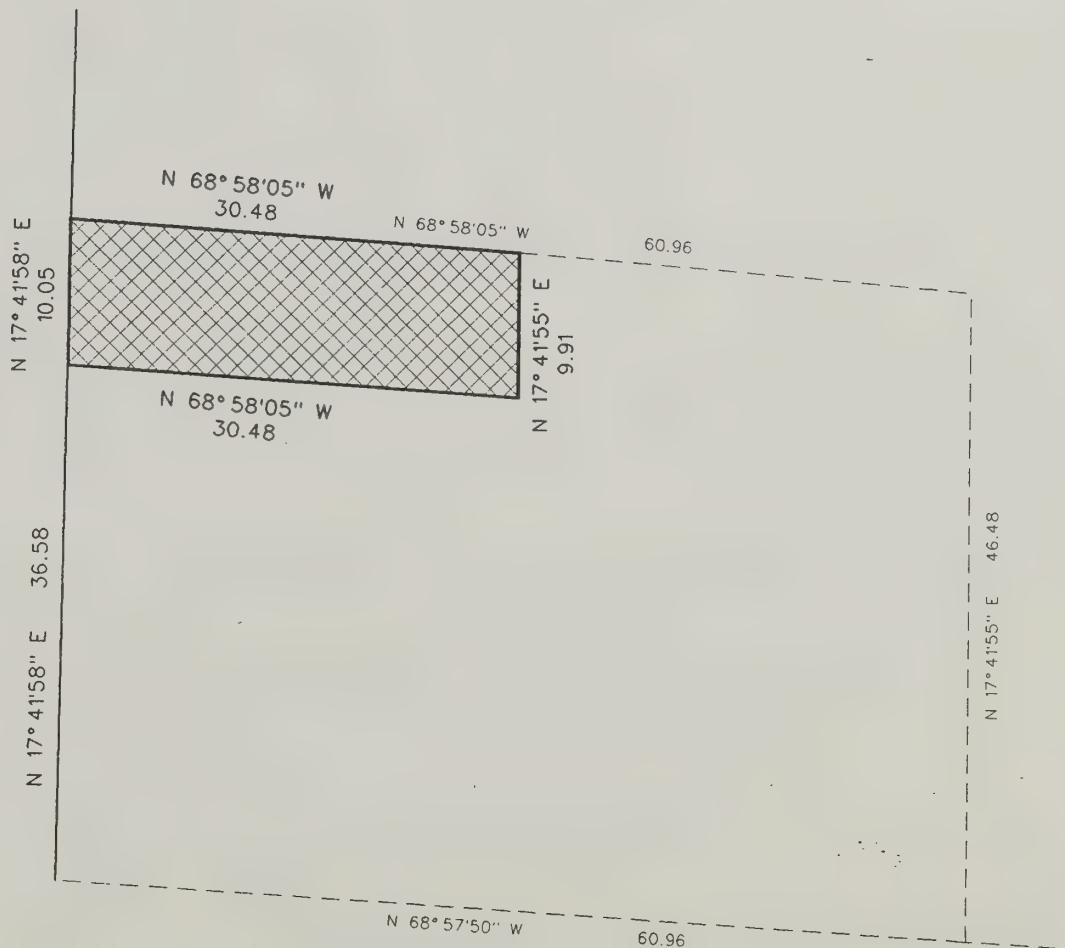
CITY CLERK



MAYOR



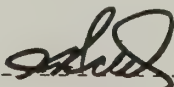
LOTRIDGE STREET



BARTON STREET EAST

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-097
 Passed the 31st day of March, 1998.


 Clerk


 Mayor

City of Hamilton

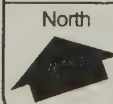
Schedule "A"

Map Forming Part of
 By-Law No. 98-097
 to Amend By-Law No. 6593

Planning and Development Department

Legend

 Lands to be regulated by
 By-Law No. 98-097



Scale
 NOT TO SCALE
 Date
 February 1998

Reference File No.
 ZAC-97-40
 Drawn By
 B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 98- 100

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 73 KENNEDY AVENUE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-9E of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District, modified, the land comprised in Block "1"; and
- (b) by changing from "B" (Suburban Agriculture and Residential, etc.) District to "C" (Urban Protected Residential, etc.) District, the land comprised in Block "2",

the extent and boundaries of each of which Blocks "1" and "2" are shown on a plan hereto annexed as Schedule "A".

2. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the land comprised in Block "1" are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 9.(4) of Zoning By-law No. 6593, a lot width of at least 21.88 m and an area of at least 681 m² shall be required.

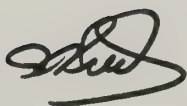
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1397.

5. Sheet No. W-9E of the District Maps is amended by marking the lands referred to in section 1.(a) of this by-law, S-1397.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 31st day of March A.D. 1998



CITY CLERK

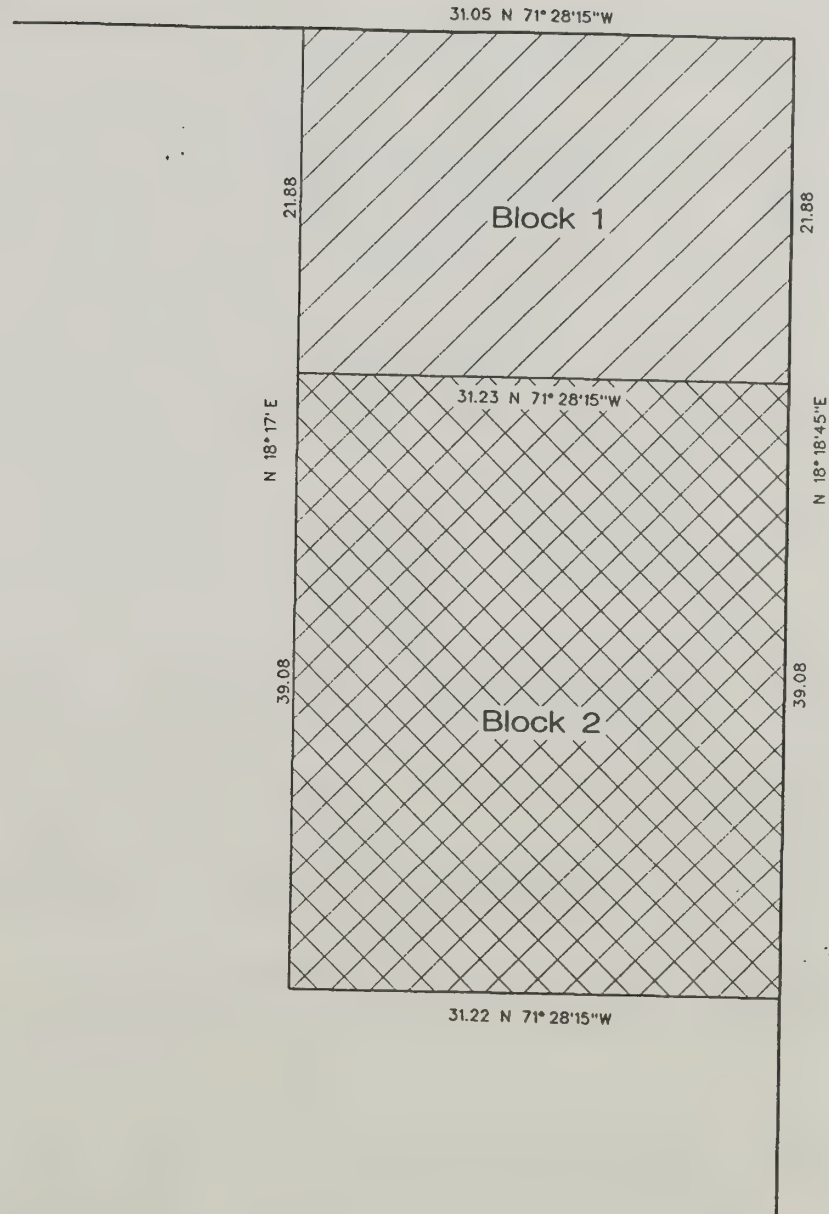


MAYOR

(1998) 4 R.P.D.C. 1, February 24
Silvia Costabile, Owner
ZAC-97-37

KENNEDY

AVENUE



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-100
 Passed the 31st day of March, 1998.

[Signature]
 Clerk

[Signature]
 Mayor

City of Hamilton

Schedule A

Map Forming Part of
 By-Law No. 98-100
 to Amend By-Law No. 6593

Planning and Development Department

Legend

- Block 1 "B" (Suburban Agriculture and Residential, etc.)
 District to "C" (Urban Protected Residential, etc.) District, Modified.
- Block 2 "B" (Suburban Agriculture and Residential, etc.)
 District to "C" (Urban Protected Residential, etc.) District.

North



Scale
 Not to Scale

Date
 March 1998

Reference File No.
 ZAC-97-37

Drawn By
 R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 98- 117

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-law No. 88-145
and To Repeal Zoning By-law No. 94-041

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 867 UPPER PARADISE ROAD

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 88-145 on the 31st day of May 1988 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "HH" District, in respect of the lands located at Municipal Nos. 863 and 867 Upper Paradise Road, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 94-041 on the 8th day of March 1994 to amend Zoning By-law No. 88-145, in accordance with the Ontario Municipal Decision (File No. R880439), dated the 25th day of August 1989;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 1 of the 5th Report of the Planning and Development Committee at its meeting held on the 10th day of March 1998, recommended that Zoning By-law No. 6593, as amended by By-law No. 88-145, be further amended to establish special requirements under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law, and that By-law No. 94-041 be repealed in its entirety;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 94-041, passed on the 8th day of March 1994, is hereby repealed in its entirety.
2. Subsections 2.(a), 2.(b) and 2.(c) of Zoning By-law No. 88-145, passed on the 31st day of May 1988, are hereby deleted in their entirety.

3. In all other respects, By-law No. 88-145 is hereby confirmed, unchanged.

4. The "HH" (Restricted Community Shopping and Commercial) District provisions, as contained in Section 14A. of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 14A.(1) of Zoning By-law No. 6593, only a business or professional person's office having a total gross floor area of not more than 230 square metres (2,475 square feet) shall be permitted; and,
- (b) notwithstanding Section 14A.(2) of Zoning By-law No. 6593, no building shall exceed one storey, and no structure shall exceed 8.0 metres in height; and,
- (c) notwithstanding Section 18A.(1)(a) of Zoning By-law No. 6593, a minimum of 12 parking spaces shall be provided and maintained; and,
- (d) a landscaped area not less than 6.0 metres in width and a visual barrier not less than 1.2 metres and not more than 2.0 metres in height shall be provided and maintained along the rear lot line; and,
- (e) a visual barrier not less than 1.2 metres and not more than 2.0 metres in height shall be provided and maintained along the northerly lot line, except no visual barrier shall be situated less than 3.0 metres in distance from the front lot line; and,
- (f) a landscaped area not less than 3.0 metres in width shall be provided and maintained along the front lot line, except the area used for the access driveway.

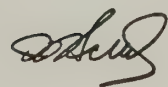
5. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 4.

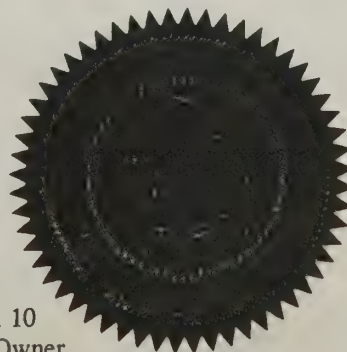
6. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1074b.

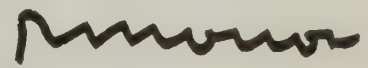
7. Sheet No. W-27C of the District Maps is amended by marking the lands referred to in section 4 of this by-law, S-1074b.

8. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 14th day of April A.D. 1998

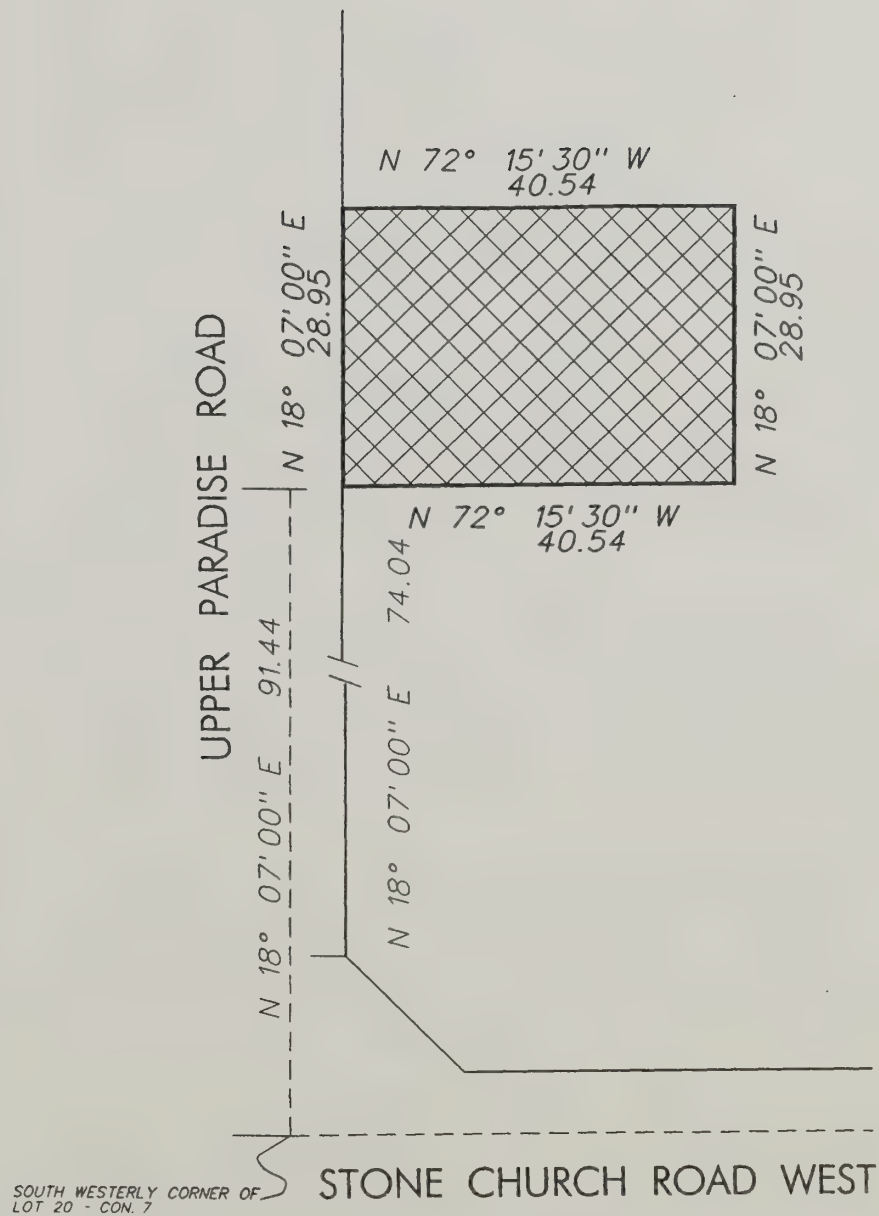

CITY CLERK




MAYOR

CERTIFIED A TRUE COPY


CITY CLERK



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-117
Passed the 14th day of April, 1998.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule "A"

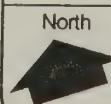
Map Forming Part of
By-Law No. 98-117
to Amend By-Law No. 6593

Planning and Development Department

Legend



Further modification to the established
"HH" (Restricted Community Shopping
and Commercial) District Modified.



Scale
NOT TO SCALE

Date
MARCH 1998

Reference File No.
ZA-98-01

Drawn By
B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 98- 115

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-laws No. 86-273 and 90-306

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 55, 69 and 75 RYMAL ROAD EAST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 86-273 on the 1st day of October 1986 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "HH" District, in respect of the lands located at Municipal Nos. 55 and 59 Rymal Road East, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with Section 34(21) of the Planning Act, R.S.O. 1990, Chapter P.13;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 90-306 on the 30th day of October 1990 to change the zoning and establish a special requirement under Section 19B of Zoning By-law No. 6593, for the "HH" District, in respect of lands located at Municipal No. 69 Rymal Road East and the rear part of Municipal No. 75 Rymal Road East, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with Section 34(21) of the Planning Act, R.S.O. 1990, Chapter P.13;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 146, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 2 of Zoning By-law No. 86-273, passed on the 1st day of October 1986, is hereby deleted in its entirety.
2. Sections 2 and 3 of Zoning By-law No. 90-306, passed on the 30th day of October 1990, are hereby deleted in their entirety.
3. In all other respects, Zoning By-laws No. 86-273 and 90-306 are hereby confirmed, unchanged.
4. Sheet No. E-9D of the District Maps, appended to and forming part of By-law No. 6593, is amended,
 - (a) by changing from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District, the land comprised in Block 2,

the extent and boundaries of which is shown on a plan hereto annexed as Schedule "A".

5. The "HH" (Restricted Community Shopping and Commercial) District provisions, as contained in Section 14A. of Zoning By-law No. 6593, applicable to the lands comprised in Blocks 1 and 2, shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding section 14A.(1) of Zoning By-law No. 6593, only two automobile sales and leasing establishments shall be permitted, excluding automotive body and fender repairing and automobile painting shall be permitted; and,
- (b) notwithstanding section 14A.(3)(a) of Zoning By-law No. 6593, two business identification signs shall be permitted provided that the aggregate area of the two business identification signs shall not be greater than 0.1 square metre per 0.3 metre of street frontage of the lot; and,
- (c) notwithstanding section 18.(3)(ivc) of Zoning By-law No. 6593, a planting strip having a minimum width of 3.0 metres, with a visual barrier not less than 1.2 metres and not more than 2.0 metres in height, shall be provided and maintained along the northerly and easterly lot lines.

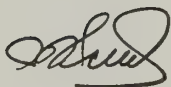
6. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 5.

7. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1398.

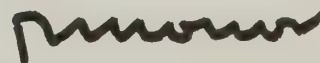
8. Sheet No. E-9D of the District Maps is amended by marking the lands referred to in section 5 of this by-law, S-1398.

9. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 14th day of April A.D. 1998

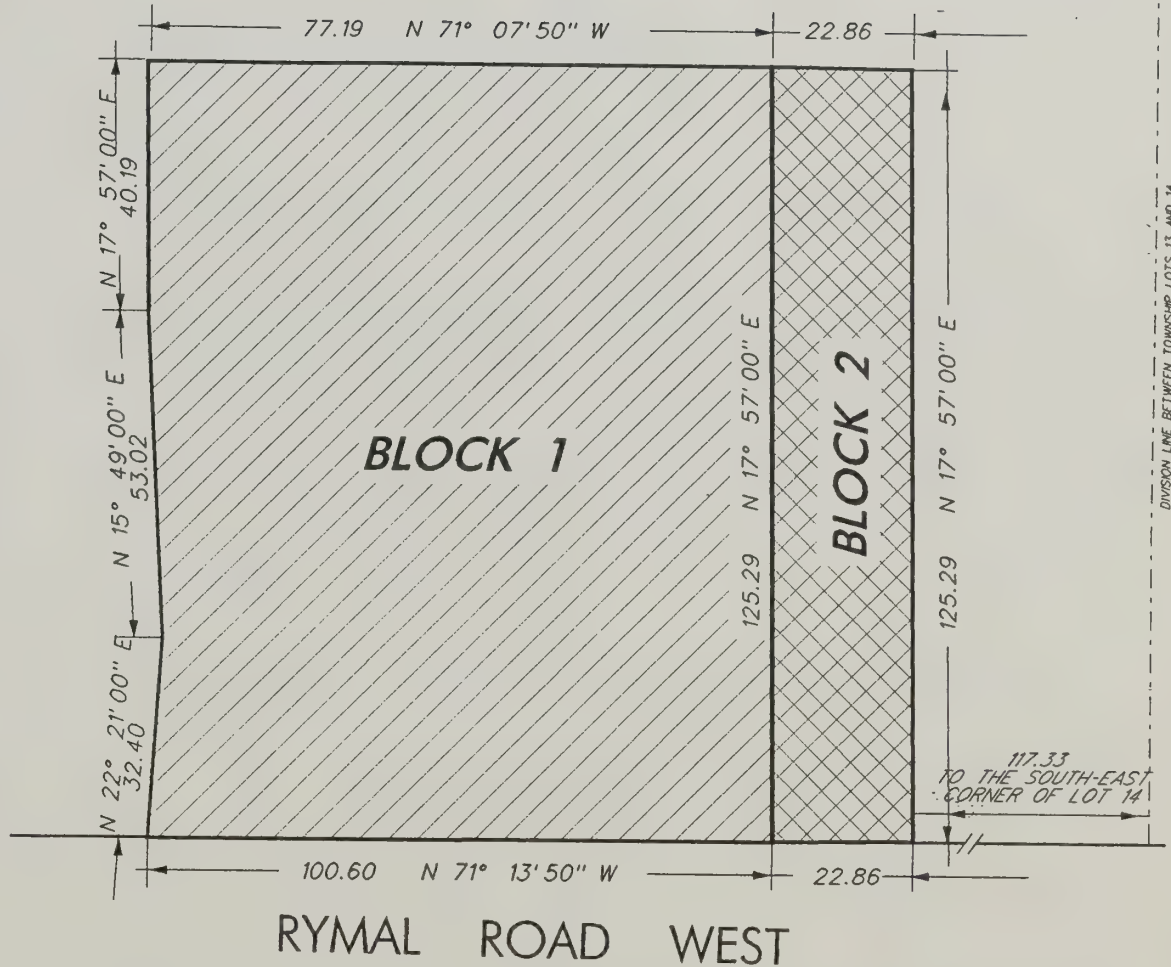


CITY CLERK



MAYOR





NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-115
Passed the 14th day of April, 1998.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 98-115
to Amend By-Law No. 6593

Planning and Development Department

Legend

BLOCK 1



Further modification to the "HH" (Restricted Community Shopping and Commercial, etc.) District;

BLOCK 2



Change in zoning from "AA" (Agricultural, etc.) District to "HH" (Restricted Community Shopping and Commercial, etc.) District;

North



Scale
NOT TO SCALE

Date
March 1998

Reference File No.
ZA-97-38

Drawn By
B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 98- 116

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 30-36 MARGARET STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-12 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "DE" - 'H' (Low Density Multiple Dwellings - Holding) District, the land comprised in Block 1,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. (a) The 'H' symbol applicable to the land referred to in section 1 shall be removed conditional upon the owner submitting a signed Record of Site Condition (RSC) to the Region of Hamilton-Wentworth and the Ontario Ministry of Environment and Energy (MOEE), to the satisfaction of the Region, including an acknowledgement of receipt of the RSC by the MOEE;

(b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in section 1 may at such time proceed in accordance with the "DE" District provisions.

3. The "DE" (Low Density Multiple Dwellings) District provisions, as contained in Section 10A of Zoning By-law No. 6593, applicable to the land comprised in Block 1, are amended to the extent only of the special requirements that,

- (a) the building existing at the time of the passing of this by-law, known municipally as 36 Margaret Street, shall provide and maintain the following setbacks:
 - (i) 0.70 metres from the easterly lot line;
 - (ii) 0.40 metres from the southerly lot line;
 - (iii) 3.50 metres from the northerly lot line;
 - (iv) 0.00 metres from the westerly lot line;

- (b) notwithstanding Section 10A.(4) of Zoning By-law No. 6593, only the following use shall be permitted:
 - (i) a multiple dwelling containing a maximum of 11 Class A dwelling units within the building existing at the time of the passing of the by-law;
- (c) Section 10A.(5) of Zoning By-law No. 6593 shall not apply;
- (d) notwithstanding Section 18A.(1)(a) of Zoning By-law No. 6593, a minimum of 11 parking spaces shall be provided and maintained;
- (e) notwithstanding Section 18A.(11) of Zoning By-law No. 6593, the boundary of every parking and manouvering area shall provide and maintain the following setbacks:
 - (i) not less than 0.50 metres from the easterly limits of Block 1;
 - (ii) not less than 0.50 metres from the northerly limits of Block 1; and,
 - (iii) not less than 0.0 metres from the westerly limits of Block 1;
- (f) notwithstanding Section 18A.(24)(b) of Zoning By-law No. 6593, a mutual access driveway having a width of not less than 3.0 metres shall be provided and maintained;
- (g) Section 18A.(1)(c) of Zoning By-law No. 6593 shall not apply; and,
- (h) Section 18A.(25) of Zoning By-law No. 6593 shall not apply.

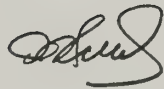
4. The "D" (Urban Protected Residential - One and Two Family, etc.) District provisions as contained in Section 10 of Zoning By-law No. 6593, applicable to the lands comprised in Block 2, are amended to the extent only of the special requirements that,

- (a) the semi-detached two family dwelling existing at the time of the passing of this by-law, known municipally as 30 and 32 Margaret Street, shall provide and maintain the following setbacks:
 - (i) 2.70 metres from the easterly lot line;
 - (ii) 1.15 metres from the southerly lot line;
 - (iii) 1.45 metres from the northerly lot line;
 - (iv) 7.50 metres from the westerly lot line;
- (b) notwithstanding Section 10.(4)(ii) of Zoning By-law No. 6593, for a two family dwelling a lot width of at least 14.7 metres and an area of at least 300.0 square metres shall be provided and maintained;
- (c) Section 18A.(1)(a) of Zoning By-law No. 6593, shall not apply for the existing semi-detached two family dwelling existing at the time of the passing of this by-law, known municipally as 30 and 32 Margaret Street.

5. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE" and "D" Districts, subject to the special requirements referred to in sections 3 and 4.

6. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1402.
7. Sheet No. W-12 of the District Maps is amended by marking the lands referred to in sections 3 and 4 of this by-law, S-1402.
8. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 14th day of April A.D. 1998

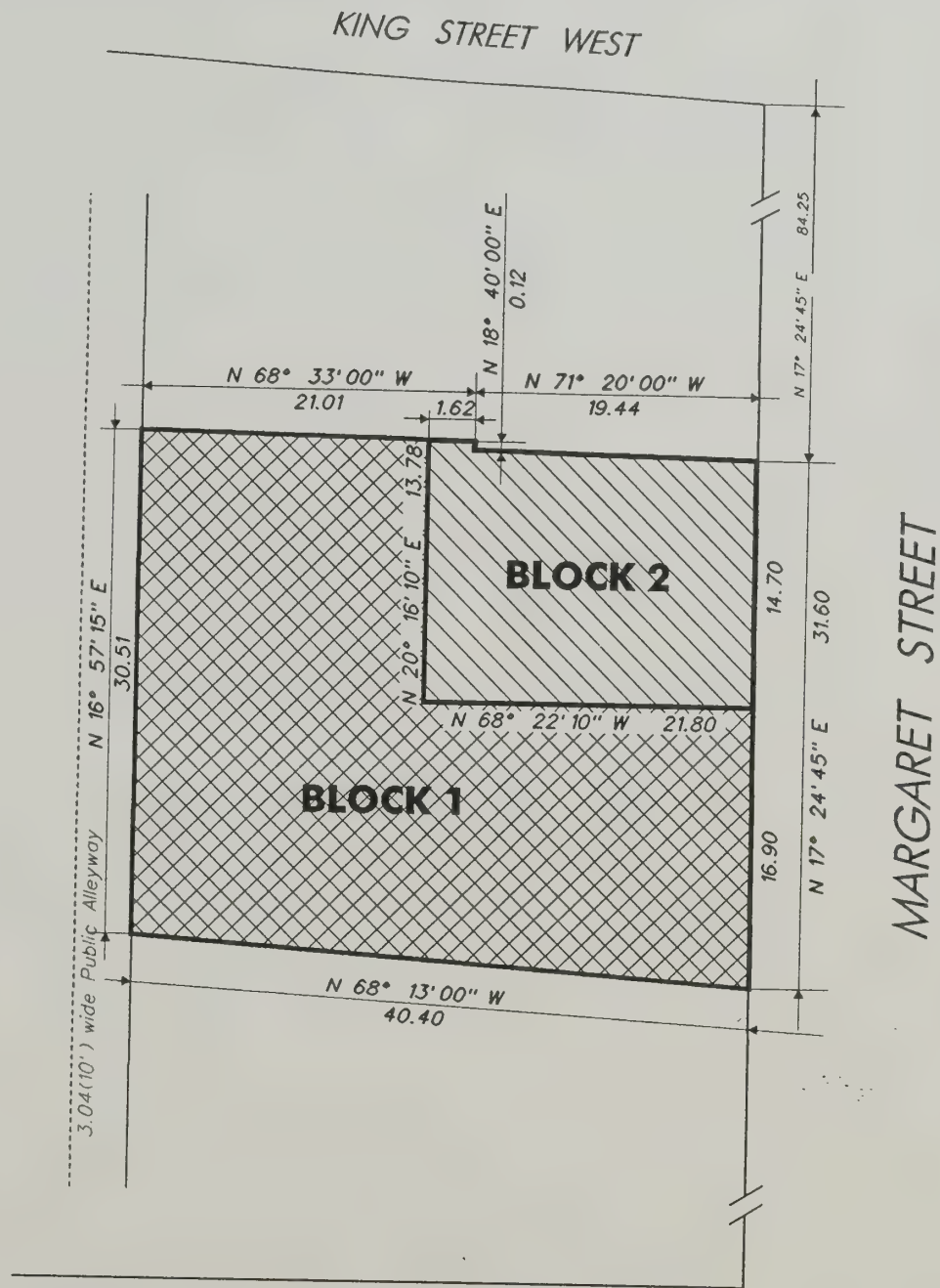


CITY CLERK



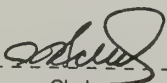
MAYOR

(1998) 6 R.P.D.C. 6, March 31
Ontario Pride Construction Ltd., Owner
ZAC-98-07



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-116
Passed the 14th day of April, 1998.


Clerk


Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 98-116

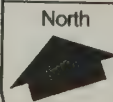
to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from:

- BLOCK 1**  "D" (Urban Protected Residential - One and Two Family, etc.) to "DE"-H' (Low Density Multiple Dwellings-Holding) District
- BLOCK 2**  Modification to the established "D" (Urban Protected Residential - One and Two Family, etc.) District



Scale
NOT TO SCALE

Date
April 1998

Reference File No.

ZAC-98-07

Drawn By

B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 98- 123

To Amend:

Zoning By-law No. 6593
As Amended By Zoning By-law No. 97-195

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 100 LOCKE STREET SOUTH

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 97-195 on the 30th day of September, 1997 to rezone the subject lands from "H" (Community Shopping and Commercial, etc.) District to "DE-3"- 'H' (Multiple Dwellings - Holding) District, modified, and to establish special requirements with respect to the lands, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which By-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS Section 2 of By-law No. 97-195 prohibits the development of the lands until such time as the applicant owner submits and receives approval of "A Record of Site Condition", to the satisfaction of the Regional Environment Department and the Ministry of Environment, then the 'H' symbol will be removed by amendment to By-law No. 97-195;

AND WHEREAS approval of a Record of Site Condition, as deemed necessary, by the Regional Environment Department and the Ministry of the Environment has been completed to their satisfaction.

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

AND WHEREAS City Council in adopting Item 6 of the 7th Report of the Planning and Development Committee at its meeting held on the 14th day of April, 1998 directed that By-law No. 97-195 be amended to remove the 'H' (Holding) symbol in respect of the subject lands.

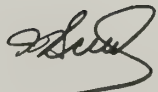
NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The 'H' (Holding) symbol affixed by By-law No. 97-195, passed on the 30th day of September, 1997, to the "DE-3"- 'H' (Multiple Dwellings - Holding) District, modified, designation for the subject lands, the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No. 97-195 and forming part thereof is hereby removed, and the development of the lands may proceed in accordance with the "DE-3" (Multiple Dwellings) District, modified provisions of Zoning By-law No. 6593, subject to the special requirements referred to in section 3. of By-law No. 97-195.

2. Sheet No. W-13 of the District Maps, appended to and forming part of Zoning By-law No. 6593, as amended by section 1. of By-law No. 97-195, are further amended by changing from "DE-3"- 'H' (Multiple Dwellings - Holding) District, modified to "DE-3" (Multiple Dwellings) District, modified, for the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this By-law.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "DE-3" District provisions, subject to the special requirements referred to in section 3 of By-law No. 97-195.
4. By-law No. 6593, as amended by By-law No. 97-195, is further amended by adding this by-law to section 19B as Schedule S-1387a.
5. Sheet No. W-13 of the District Maps, as amended by By-law No. 97-195, are amended by marking the lands referred to in section 1. of this by-law, S-1387a.
6. In all other respects, By-law No. 97-195 is hereby confirmed, unchanged.

PASSED this 14th day of April A.D. 1998.



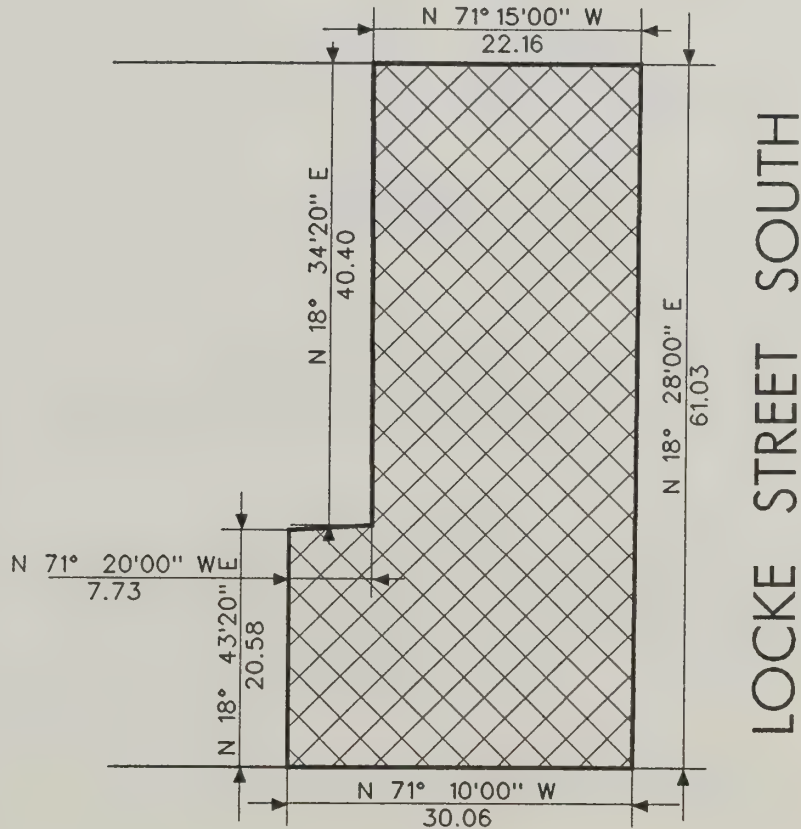
CITY CLERK



MAYOR

(1998) 7 R.P.D.C. , April 14
Good Shepard Non-Profit Homes Inc., prospective owner
ZAR-98-07

JACKSON STREET WEST



LOCKE STREET SOUTH

CANADA STREET

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-123
Passed the 14th day of April, 1998.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 98-123

to Amend By-Law No. 6593

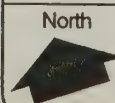
Planning and Development Department

Legend

Change in zoning from:



"DE-3"-H (Multiple Dwellings - Holding) District, modified
to "DE-3" (Multiple Dwellings) District, modified



Scale
NOT TO SCALE

Date
April 1998

Reference File No.
ZAR-98-09

Drawn By
B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 98- 127

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 1317 UPPER JAMES STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 148, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-9C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "CR-1" (Commercial-Residential) District, modified, to "HH" (Restricted Community Shopping and Commercial) District, modified

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "HH" (Restricted Shopping and Commercial) District provisions, as contained in Section 14A. of Zoning By-law No. 6593, applicable to the lands referred to in section 1 are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 14A.(3)(a) of Zoning By-law 6593, a front yard depth of at least 24.0 metres shall be provided and maintained; and,
- (b) a landscaped planting strip having a minimum width of 6.0 m shall be provided and maintained along the entire easterly lot line of the "HH" District, where it abuts a residential district; and,

- (c) a visual barrier not less than 1.2 m in height and not more than 2.0 m in height shall be provided and maintained along the entire easterly lot line of the "HH" District, where it abuts a residential district; and,
- (d) a minimum 3.0 m wide landscaped planting strip shall be provided and maintained along the entire westerly lot line, except for any area used for access driveway.

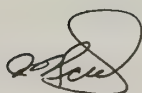
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1401.

5. Sheet No. E-9C of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1401.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

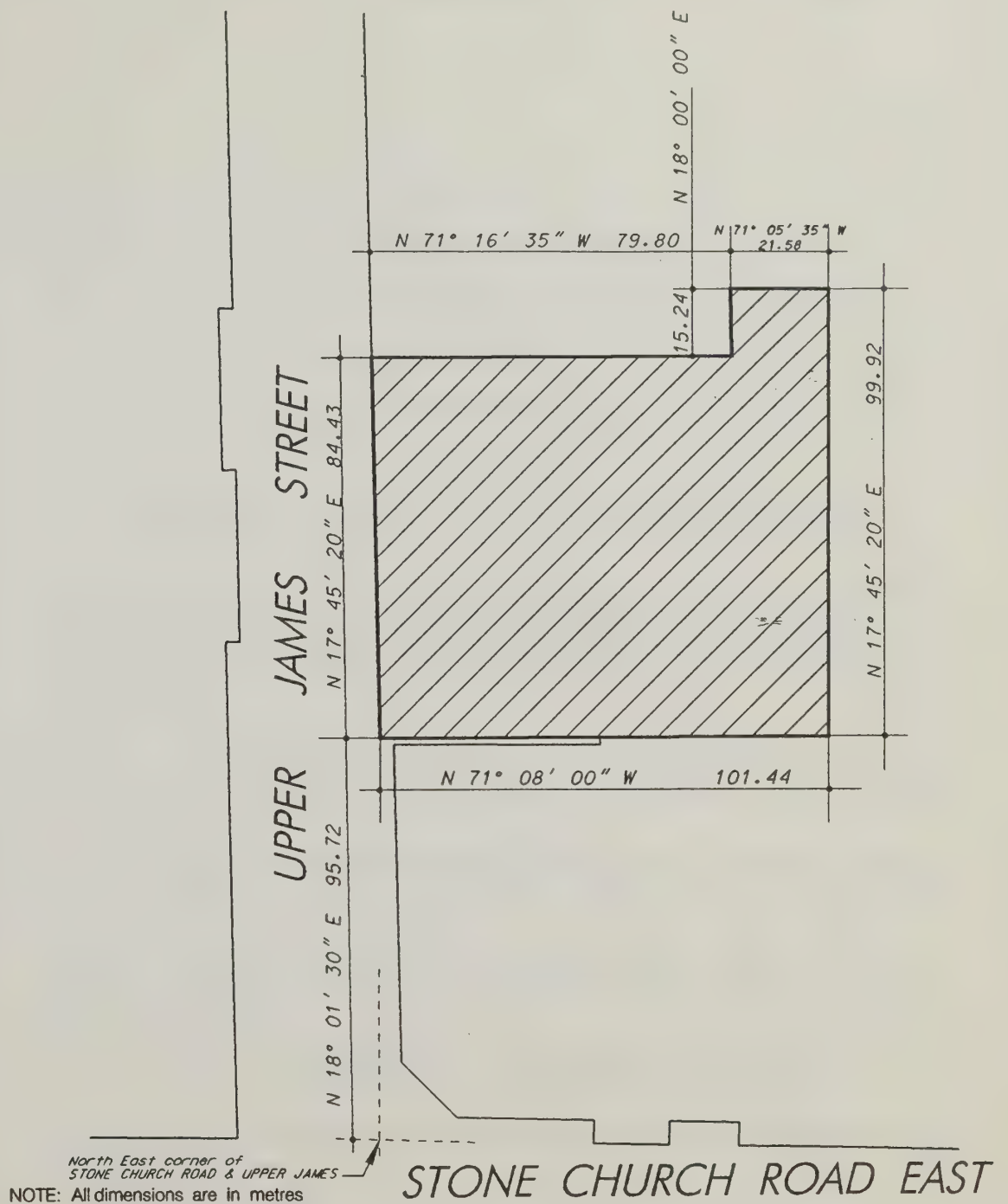
PASSED this 28th day of April A.D. 1998



CITY CLERK



MAYOR



This is Schedule "A" to By-Law No. 98-127
Passed the 28th day of April, 1998.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 98-127

to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from:

 "CR-1" (Commercial - Residential) District, modified to
"HH" (Restricted Community Shopping and Commercial)
District, modified.

North



Scale
NOT TO SCALE

Date
April 1998

Reference File No.

ZAC-97-39

Drawn By

B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 98- 128

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 243 FENNELL AVENUE EAST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-16 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) District to "RT-20"- 'H' (Townhouse-Maisonette - Holding) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "RT-20" (Townhouse - Maisonette) District provisions, as contained in Section 10E of Zoning By-law No. 6593, applicable to the land comprised in Block 1, are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 2. (2) A.(viib) and 10E.(7) of Zoning By-law No. 6593, only one townhouse dwelling having not less than two single family dwelling units and a townhouse dwelling having a maximum of three single family dwelling units shall be permitted;
- (b) notwithstanding Section 10E.(4)(a) of Zoning By-law No. 6593, for a townhouse dwelling a side yard depth of not less than 4.0 metres shall be provided and maintained for the southerly lot line; and,
- (c) notwithstanding Section 10E.(17)(a) of Zoning By-law No. 6593, for a townhouse dwelling not more than three single family dwelling units shall be attached in a continuous row.

3. The "RT-20" (Townhouse-Maisonette) District regulations, as contained in Section 10E of Zoning By-law 6593, applicable to the land comprised in Block 2, are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 10E.(7) of Zoning By-law No. 6593, only townhouse dwellings having a maximum total of ten single family dwelling units shall be permitted; and,
- (b) notwithstanding Section 10E.(17)(a) of Zoning By-law No. 6593, for a townhouse dwelling not more than four single family dwelling units shall be attached in a continuous row.

4. No pedestrian or vehicular access shall be permitted from East Eleventh Street.

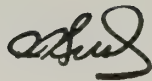
5. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "RT-20" District, subject to the special requirements referred to in sections 2 and 3.

6. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1400.

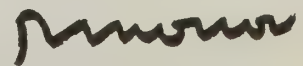
7. Sheet No. E-16 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1400.

8. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 28th day of April A.D. 1998



CITY CLERK

MAYOR

(1998) 7 R.P.D.C. 1, April 14
 (1998) 8 R.P.D.C. 11, April 28
 1215443 Ontario Inc.
 (Ontario Pride Construction/Michael Bobiash), Owner
 Amended ZAC-98-03

The Corporation of the City of Hamilton

BY-LAW NO. 98-130

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 135 FENNEL AVENUE WEST

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 147, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "B" (Suburban Agriculture and Residential, etc.) District provisions, as contained in Section 8. of Zoning By-law No. 6593, applicable to the land comprised in Block "1", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 8.(1) of Zoning By-law No. 6593, the following additional uses shall be permitted:
 - i) a Student Residence accessory to the college located on Block "2", containing a maximum of 250 units, and accommodating a maximum of 500 students;
 - ii) a fitness centre with a maximum floor area of 270 m², which shall be located within the same building and shall be operated as an accessory use to a student residence on Block "1" and/or a college on Block "2";
 - iii) meeting and seminar rooms, which shall be located within the same building as a student residence, with a combined maximum floor area of 188 m²;
 - iv) a private tennis club, provided that the student residence permitted by clause i) shall have a maximum capacity of 180 units, and shall accommodate a maximum of 360 students.
- (b) notwithstanding Section 8.(2) of Zoning By-law No. 6593, no building shall exceed a height of 5 storeys;
- (c) notwithstanding Section 8.(3)(i) of Zoning By-law No. 6593, a front yard of a depth of at least 19 m shall be provided and maintained;

- (d) notwithstanding Section 18A. of Zoning By-law No. 6593, a portion of the required parking and manoeuvring spaces for the permitted uses on Block "1", may be provided and maintained on Block "2"; and,
- (e) Section 18A.(11) and 18A.(12) of Zoning By-law No. 6593 shall not apply to the parking areas abutting the southerly and easterly boundaries of Block "1".

2. That the "B" (Suburban Agriculture and Residential, etc.) District provisions, as contained in Section 8. of Zoning By-law No. 6593, applicable to the land comprised in Block "2", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 8.(1) of Zoning By-law No. 6593, parking accessory to a permitted use on Block "1", shall be permitted on Block "2";
- (b) Section 18A.(11) and 18A.(12) of Zoning By-law No. 6593 shall not apply to the parking areas on Block "2", abutting the southerly and easterly boundaries of Block "1";
- (c) notwithstanding Section 18A.(11) and 18A.(12) of Zoning By-law No. 6593, a minimum 6 m wide planting strip shall be provided and maintained along the southerly lot line of Block "2", beginning at the south west corner of Block "2", for a minimum distance of 445 m easterly.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "B" District provisions, subject to the special requirements referred to in sections 1 and 2.

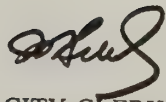
4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1399.

5. Sheets No. W-15 and W-16 of the District Maps are amended by marking the lands referred to in sections 1 and 2 of this by-law, S-1399.

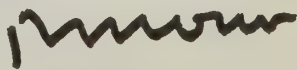
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

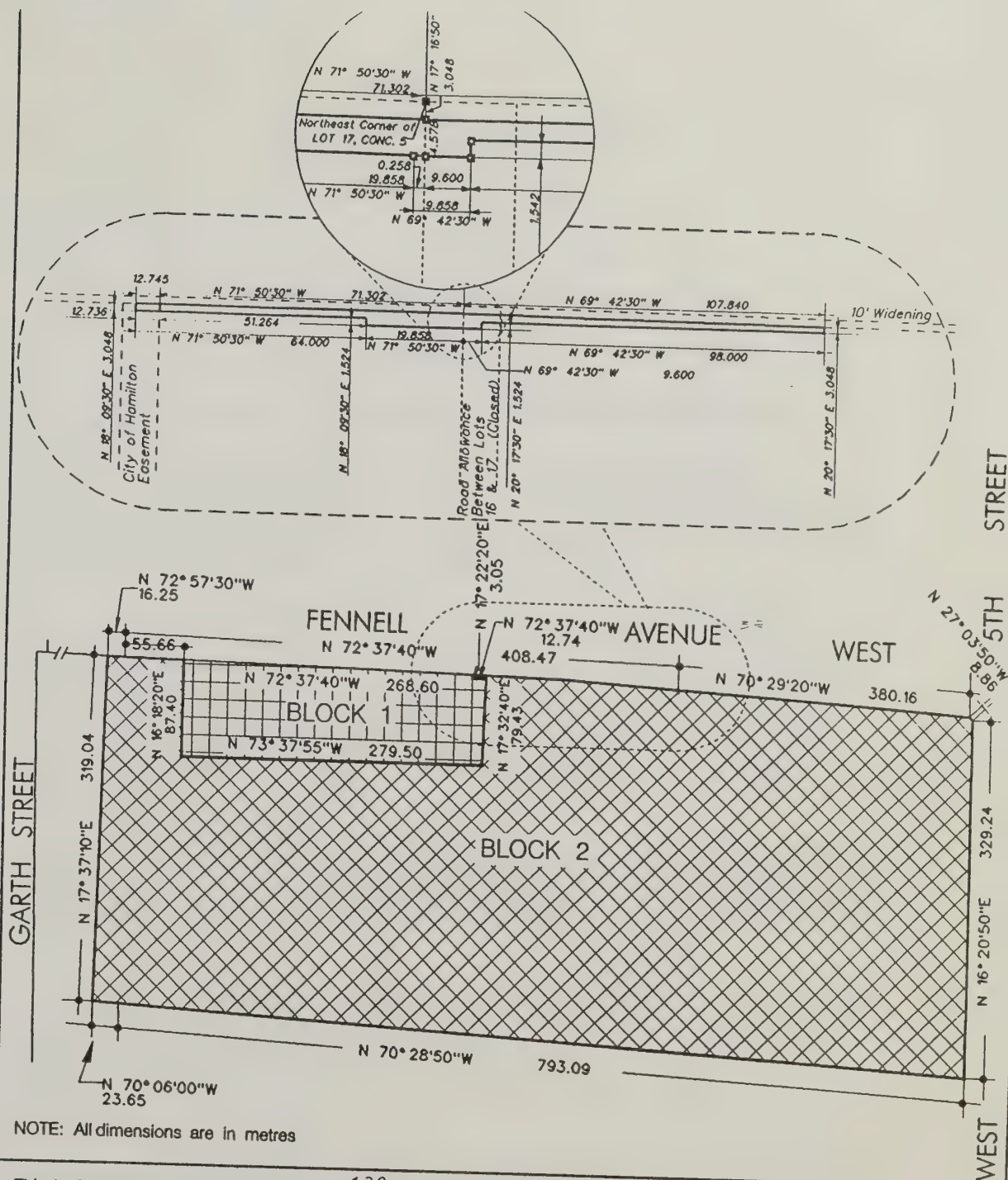
PASSED this 28th day of April

A.D. 1998


CITY CLERK




MAYOR



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-130
 Passed the 28th day of April, 1998.

[Signature]
 Clerk

[Signature]
 Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 98-130

to Amend By-Law No. 6593

Planning and Development Department

Legend



Proposed modification to the established
 "B" (Suburban Agriculture and Residential,
 etc.) District.

North



Scale

NOT TO SCALE

Date

MARCH 1998

Reference File No.

ZAC-97-28

Drawn By

B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 98- 139

To Amend:

Zoning By-law No. 6593
and To Repeal Zoning By-law No. 98-128

Respecting:

LAND LOCATED AT MUNICIPAL NO. 243 FENNEL AVENUE EAST

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 1 of the 7th Report of the Planning and Development Committee at its meeting held on the 14th day of April 1998, authorized that Zoning By-law No. 6593 be amended to change the zoning from "C" (Urban Protected Residential, etc.) District to "RT-20 - 'H'" (Townhouse - Maisonette - Holding) District and to establish special requirements under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 11 of the 8th Report of the Planning and Development Committee at its meeting held on the 28th day of April 1998, amended the said April 14, 1998 resolution by deleting from the proposed "RT-20-'H'" (Townhouse - Maisonette- Holding) District the 'H' holding provision;

AND WHEREAS the Council of The Corporation of the City of Hamilton enacted By-law No. 98-128 on the 28th day of April 1998 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "RT-20" District, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS it is necessary to repeal By-law No. 98-128 and to replace the said by-law as hereinafter provided due to an inadvertent typographical reference to the holding symbol 'H' in By-law No. 98-128, which pursuant to the April 28, 1998 resolution is not required;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-16 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse - Maisonette) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "RT-20" (Townhouse - Maisonette) District provisions, as contained in Section 10E of Zoning By-law No. 6593, applicable to the land comprised in Block 1, are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 2. (2) A.(viib) and 10E.(7) of Zoning By-law No. 6593, only one townhouse dwelling having not less than two single family dwelling units and a townhouse dwelling having a maximum of three single family dwelling units shall be permitted;
- (b) notwithstanding Section 10E.(4)(a) of Zoning By-law No. 6593, for a townhouse dwelling a side yard depth of not less than 4.0 metres shall be provided and maintained for the southerly lot line; and,
- (c) notwithstanding Section 10E.(17)(a) of Zoning By-law No. 6593, for a townhouse dwelling not more than three single family dwelling units shall be attached in a continuous row.

3. The "RT-20" (Townhouse - Maisonette) District regulations, as contained in Section 10E of Zoning By-law 6593, applicable to the land comprised in Block 2, are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 10E.(7) of Zoning By-law No. 6593, only townhouse dwellings having a maximum total of ten single family dwelling units shall be permitted; and,
- (b) notwithstanding Section 10E.(17)(a) of Zoning By-law No. 6593, for a townhouse dwelling not more than four single family dwelling units shall be attached in a continuous row.

4. No pedestrian or vehicular access shall be permitted from East Eleventh Street.

5. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "RT-20" District, subject to the special requirements referred to in sections 2 and 3.

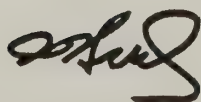
6. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1400.

7. Sheet No. E-16 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1400.

8. By-law No. 98-128, passed on the 28th day of April 1998, is hereby repealed in its entirety.

9. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 12th day of May A.D. 1998

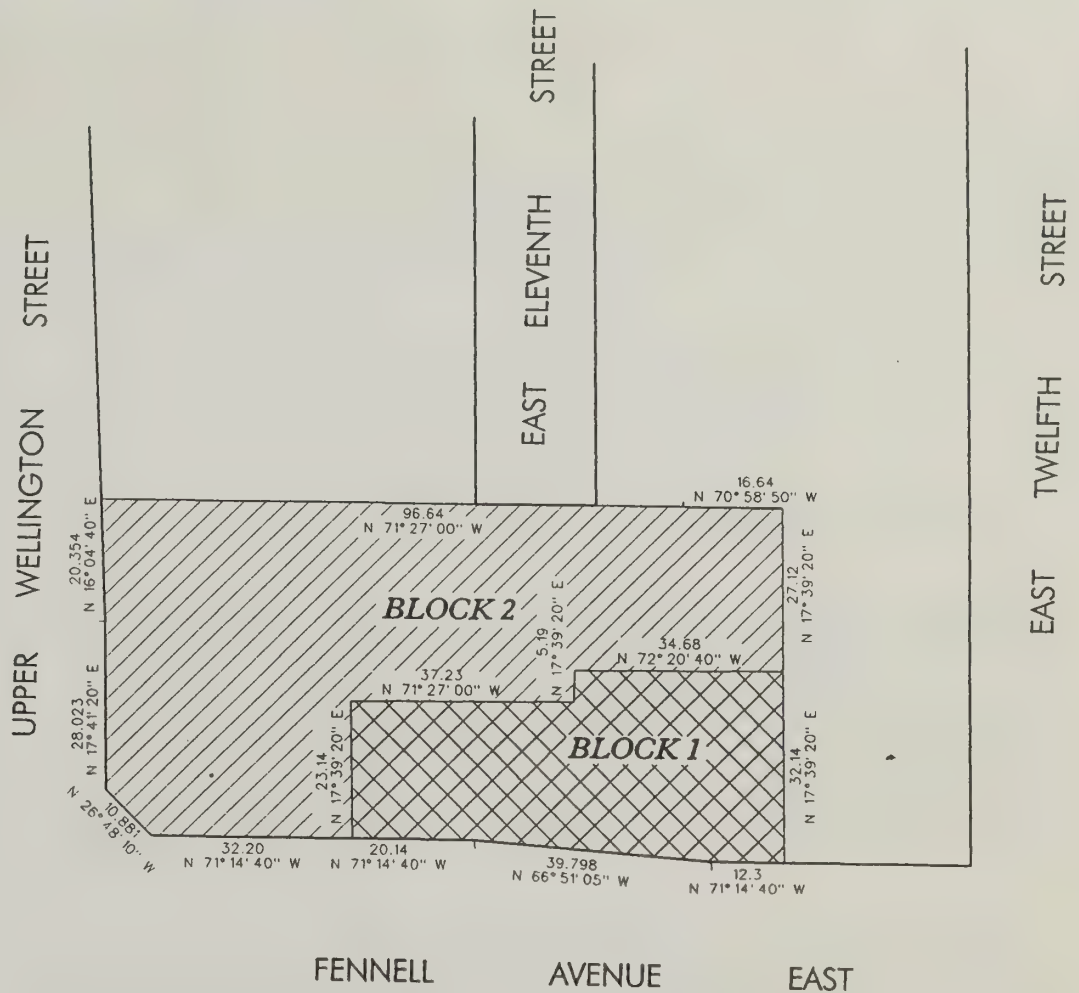


CITY CLERK




MAYOR

(1998) 7 R.P.D.C. 1, April 14
 (1998) 8 R.P.D.C. 11, April 28
 1215443 Ontario Inc.
 (Ontario Pride Construction/
 Michael Bobiash), Owner
 Amended ZAC-98-03



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-139
 Passed the 12th day of May, 1998.

[Signature]
 Clerk

[Signature]
 Mayor

City of Hamilton

Schedule A

Map Forming Part of
 By-Law No. 98-139
 to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in Zoning From:

- BLK 1 "C" (Urban Protected Residential, etc.)
 District to "RT-20" (Townhouse -
 Maisonette) District, Modified.
- BLK 2 "C" (Urban Protected Residential, etc.)
 District to "RT-20" (Townhouse -
 Maisonette) District, Modified.

North



Scale
 Not to Scale

Date
 APRIL 1998

Reference File No.
 ZAC-98-03

Drawn By
 R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 98- 147

To Amend:

Zoning By-law No. 6593
As Amended By Zoning By-law No. 98-061

Respecting:

LAND LOCATED AT MUNICIPAL NO. 21 BRANTDALE AVENUE

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 98-061 on the 10th day of February 1998 to rezone Block 1 from "C" (Urban Protected Residential, etc.) District to "R-4" - 'H' (Small Lot Single Family Detached - Holding) District, modified, Block 2 from "C" (Urban Protected Residential, etc.) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District, modified and Block 3 from "C" (Urban Protected Residential, etc.) District to "C" - 'H' (Urban Protected Residential, etc. - Holding) District, and to establish special requirements with respect to Blocks 1 and 2, the extent and boundaries of each of which Blocks are shown on a plan thereto annexed as Schedule "A", which By-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS section 2 of By-law No. 98-061 provides that upon the owner submitting a signed Record of Site Condition (RSC) to the Region and the Ministry of Environment (MOE), to the satisfaction of the Region, including an acknowledgement of receipt of the RSC by the MOE for Blocks 1, 2 and 3, the 'H' symbol shall be removed by amendment to By-law No. 98-061;

AND WHEREAS receipt and acknowledgment of the Record of Site Condition by the Region and the Ministry of Environment have been completed;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982;

AND WHEREAS City Council in adopting Item of the th Report of the Planning and Development Committee at its meeting held on the 26th day of May, 1998 directed that By-law No. 98-061 be amended to remove the 'H' (Holding) symbol in respect of the subject lands;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The 'H' (Holding) symbol affixed by By-law No. 98-061, passed on the 10th day of February, 1998, to Blocks 1, 2 and 3 the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No. 98-061 and forming part thereof is hereby removed, and the development of the lands may proceed in accordance with the "R-4" (Small Lot Single Family Detached) District, the "C" (Urban Protected Residential, etc.) District, modified and the "C" (Urban Protected Residential, etc.) District provisions of Zoning By-law No. 6593, subject to the special requirements referred to in sections 3. and 4. of By-law No. 98-061.

2. Sheet No. W-7 of the District Maps, appended to and forming part of Zoning By-law No. 6593, as amended by section 1. of By-law No. 98-061, is further amended by

changing Block 1 from "R-4" - 'H' (Small Lot Single Family Detached - Holding) District to "R-4" (Small Lot Single Family Detached) District, Block 2 from "C" - 'H' (Urban Protected Residential, etc. - Holding) District, modified to "C" (Urban Protected Residential, etc.) District, modified and Block 3 from "C" - 'H' (Urban Protected Residential, etc. - Holding) District to "C" (Urban Protected Residential, etc) District, the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this By-law.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "R-4" District and "C" District provisions, subject to the special requirements referred to in sections 3. and 4. of By-law No. 98-061.

4. By-law No. 6593, as amended by By-law No. 98-061, is further amended by adding this by-law to section 19B as Schedule S-1393a.

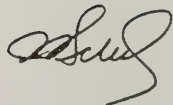
5. Sheet No. W-7 of the District Maps, as amended by By-law No. 98-061, is amended by marking the land referred to in section 2. of this by-law, S-1393a.

6. In all other respects, By-law No. 98-061 is hereby confirmed, unchanged.

PASSED this 26th day of

May

A. D. 1998.

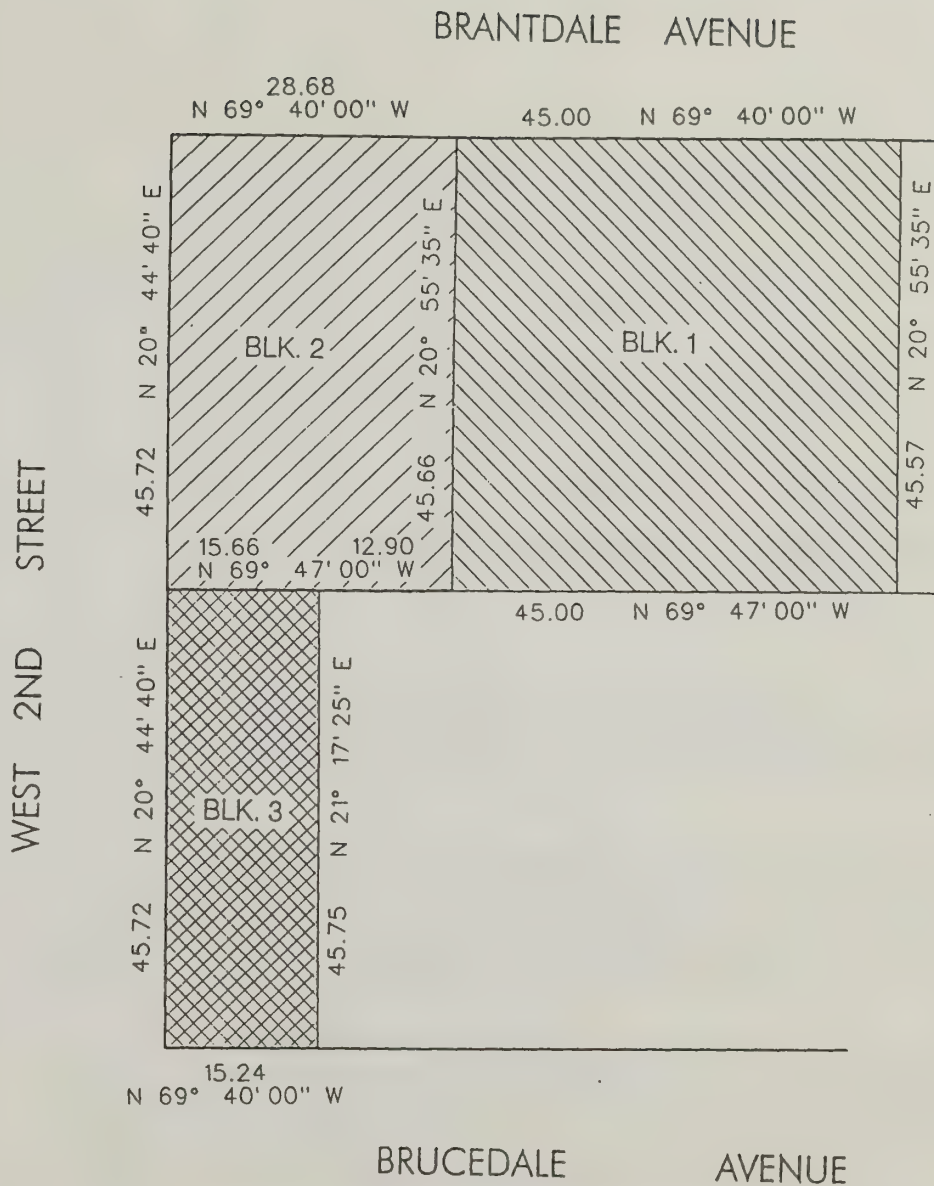


CITY CLERK



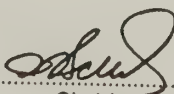
MAYOR

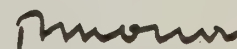
(1998) R.P.D.C. , May 26
1186559 Ontario Inc. (Hai Chaw Wah), owner
ZAR-98-17



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-147
Passed the 26th day of May, 1998.


Clerk


Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 98-147.
to Amend By-Law No. 6593
as Amended by By-Law No. 98-061

Planning and Development Department

Legend

Change in zoning from:

- BLK. 1  "R-4"-H' Small Lot Single Family Detached - Holding) District, Modified to "R-4" (Small Lot Single Family Detached) District, Modified.
- BLK. 2  "C"-H' (Urban Protected Residential, etc. - Holding) District, Modified to "C" (Urban Protected Residential, etc.) District, Modified.
- BLK. 3  "C"-H' (Urban Protected Residential, etc. - Holding) District to "C" (Urban Protected Residential, etc.) District.

North



Scale
Not to Scale

Date
May 1998

Reference File No.
ZAR-98-17

Drawn By

The Corporation of the City of Hamilton

BY-LAW NO. 98- 148

To Amend:

Zoning By-law No. 6593
As Amended By Zoning By-laws No. 76-233; 87-78;
77-148; 77-264 and 80-096

Respecting:

**LANDS LOCATED AT MUNICIPAL NOS. 400 YORK BOULEVARD
AND 16 MAGILL STREET**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 76-233 on the 27th day of July 1976 to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "E" and "H" Districts, in respect of land adjacent to York Street, the extent and boundaries of which are shown on plans thereto annexed as Schedules "A11" and "A13";

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 87-78 on the 31st day of March 1987 to establish special requirements under Section 19B of Zoning By-law No. 6593, for the "E" District, in respect of the land located on the north side of York Boulevard between Magill and Crook Streets, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 77-148 on the 1st day of June 1977, as amended by By-law No. 77-264, passed on the 25th day of October 1977 and as amended by By-law No. 80-096, passed on the 25th day of March 1980, to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593, for the "H" District, in respect of the land located at 16 Magill Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-11 of the District Maps, appended to and forming part of By-law No. 6593, is amended,
 - (a) by changing from "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "E -'H'" (Multiple Dwellings, Lodges, Clubs, etc. - Holding) District, the land comprised in Block "1"; and

- (b) by changing from "H" (Community Shopping and Commercial, etc.) District to "G-3 - 'H'" (Public Parking Lots - Holding) District, the land comprised in Block "2",

the extent and boundaries of each of which Blocks "1" and "2" are shown on a plan hereto annexed as Schedule "A".

2. (a) The 'H' symbols referred to in section 1 shall be removed after a plan of condominium has been registered on title to the lands known as 400 York Boulevard (Block "1") and 16 Magill Street (Block "2") and these lands have been included in the description and the declaration for the said condominium to the satisfaction of the Director of Planning and Development and the City Solicitor.

(b) The 'H' symbols shall be removed by amendment to this by-law and the development of the lands referred to in section 1 may at such time proceed in accordance with the "E" District and "G-3" District provisions, subject to the special requirements contained in Sections 3 and 4 of this by-law.

3. The "E" (Multiple Dwellings, Lodges, Clubs, etc.) District provisions, as contained in Section 11 of Zoning By-law No. 6593, as amended By-law No. 87-78, applicable to the lands comprised in Block "1" shown on a plan hereto annexed as Schedule "A", be further modified to include the following variances as special requirements:

- (a) notwithstanding clause 1.(d) of By-law No. 87-78, a maximum gross floor area of 2,991.0 square metres (32,196.0 square feet) and a Multiple Dwelling containing thirty-three (33) Class A dwelling units shall be permitted on the subject lands;
- (b) notwithstanding clause 1.(e) of By-law No. 87-78, not less than 10% of the lot area shall be provided and maintained as landscaped area;
- (c) notwithstanding clause 1.(f) of By-law No. 87-78, a landscaped planting strip having a minimum width of 1.35 metres shall be provided and maintained along each lot line abutting a residential district to the north;
- (d) notwithstanding Section 18A of Zoning By-law No. 6593, eighteen (18) parking spaces shall be provided and maintained for a thirty-three (33) unit Multiple Dwelling;
- (e) notwithstanding Section 18A (1)(c) of Zoning By-law No. 6593, one (1) loading space at 9.0 x 3.0 x 4.3 metres shall be provided and maintained on Block "1" of the subject lands;
- (f) notwithstanding Section 6.(3) of By-law No. 76-233, planters, air conditioners and ornamental iron railings may project not more than 1.5 metres within the front yard.

4. The "G-3" (Public Parking Lots) District provisions, as contained in Section 13C of Zoning By-law No. 6593, applicable to the lands comprised in Block "2" are amended to the extent only of the special requirements that,

- (a) the lands shall be developed and used for parking purposes only in conjunction with 370 York Boulevard and 400 York Boulevard;

- (b) notwithstanding Section 18A(1)(f) of Zoning By-law No. 6593, a 5.3 metres minimum required manoeuvring space shall be provided and maintained for each parking space.

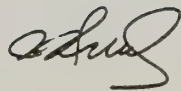
5. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E" District and "G-3" District provisions, subject to the special requirements referred to in sections 3 and 4.

6. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-481d.

7. Sheet No. W-11 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-481d.

8. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 26th day of May A.D. 1998



CITY CLERK

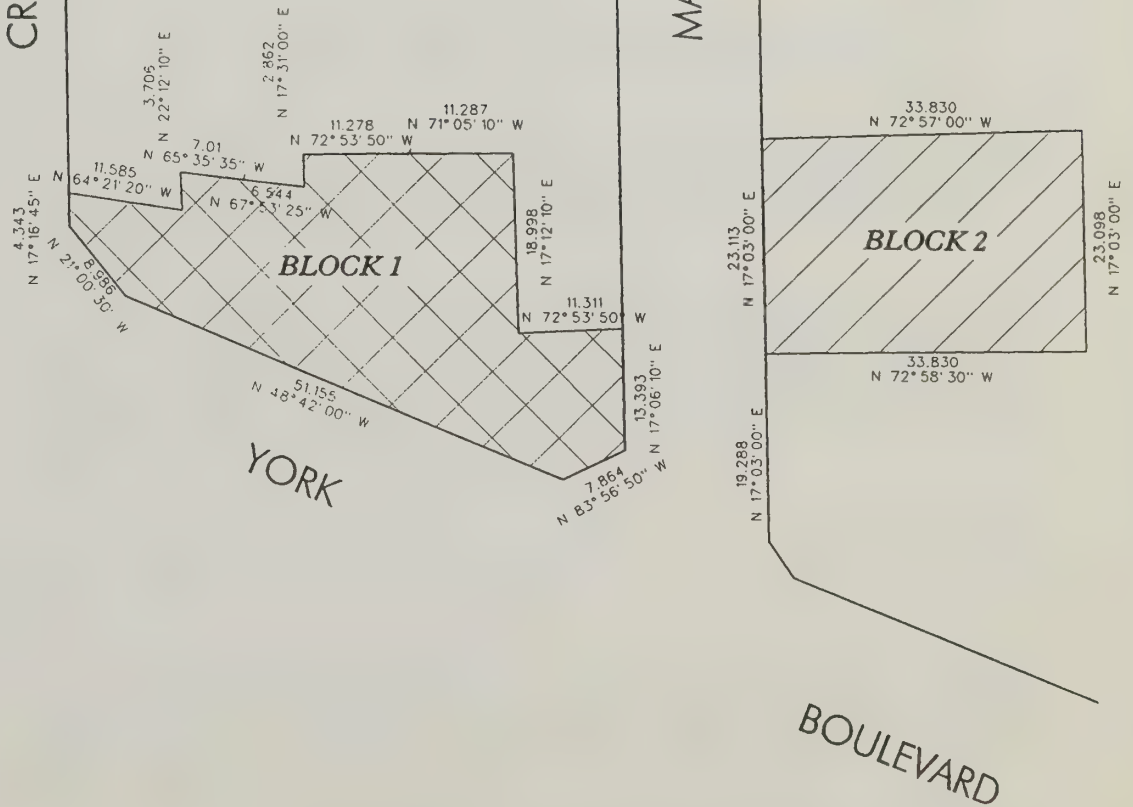



MAYOR

(1998) 8 R.P.D.C. 3, April 28
Luft Enterprises Inc., Owner
ZAC-98-05

CROOKS STREET

MAGILL STREET



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-148
Passed the 26th day of May, 1998.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 98-148,
to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in Zoning From:



BLK 1

"E" (Multiple Dwellings, Lodges, Clubs etc.) District, Modified to "E" - "H" (Multiple Dwellings, Lodges, Clubs, etc. - Holding) District, Modified.



BLK 2

"H" (Community shopping and Commercial, etc.) District to "G-3" - "H" (Public Parking Lots - Holding) District, Modified.

North



Scale
Not to Scale

Date
MAY 1998

Reference File No.
ZAC-98-05

Drawn By
R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 98- 151

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 10 DARTNALL ROAD

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 149, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "M-13" (Prestige Industrial) District provisions, as contained in Section 17E of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 17E.(1)(c) of Zoning By-law No. 6593, the following additional uses shall be permitted;
 - 1. Retail/Wholesale of farm and home supplies; and,
 - 2. Lawn and Garden Centre, excluding open stockpiling of fertilizers, soil and soil conditioners; and,
- (b) the total floor area used for storage inside shall not exceed 48.0% of a building or structure's gross floor area; and,
- (c) notwithstanding Section 17E.(2)(b)(1)(ii) of Zoning By-law No. 6593, the chemical storage shed, existing on the day of passing of this By-law, shall provide a southerly side yard of 4.0 metres minimum; and,
- (d) notwithstanding Section 17E.(2)(h)1. of Zoning By-law No. 6593, outside storage shall be permitted in the non-required front yard, provided that it is screened by a chain link fence not less than 1.5 metres in height and not more than 3.0 metres in height; and,
- (e) notwithstanding Section 17E.(2)(h)(2) of Zoning By-law No. 6593, every side yard or rear yard that is used for outside storage of any

material or any equipment shall be screened from external view by a chain link fence not less than 1.5 metres in height and not more than 3.0 metres in height, and a landscaped area with a planting strip having a width of not less than 1.2 metres along the side and rear lot lines adjacent to the outside storage area shall be provided and maintained; and,

(f) notwithstanding Section 17E.(2)(h)(4) of Zoning By-law No. 6593, the total area used for storage outside of a building or structure shall not exceed 30% of the lot area subject to the following requirements that:

1. Not more than two percent (2.0%) of the total outside storage area is not required to be screened from external view; and,
2. No stockpile of retail/wholesale farm and home, lawn and garden supplies located in the outside storage area shall exceed a height of 4.0 metres; and,

(g) Section 17E.(2)(i) of Zoning By-law No. 6593 shall not apply.

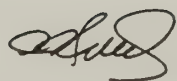
2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "M-13" (Prestige Industrial) District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1403.

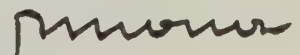
4. Sheet No. E59D of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1403.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

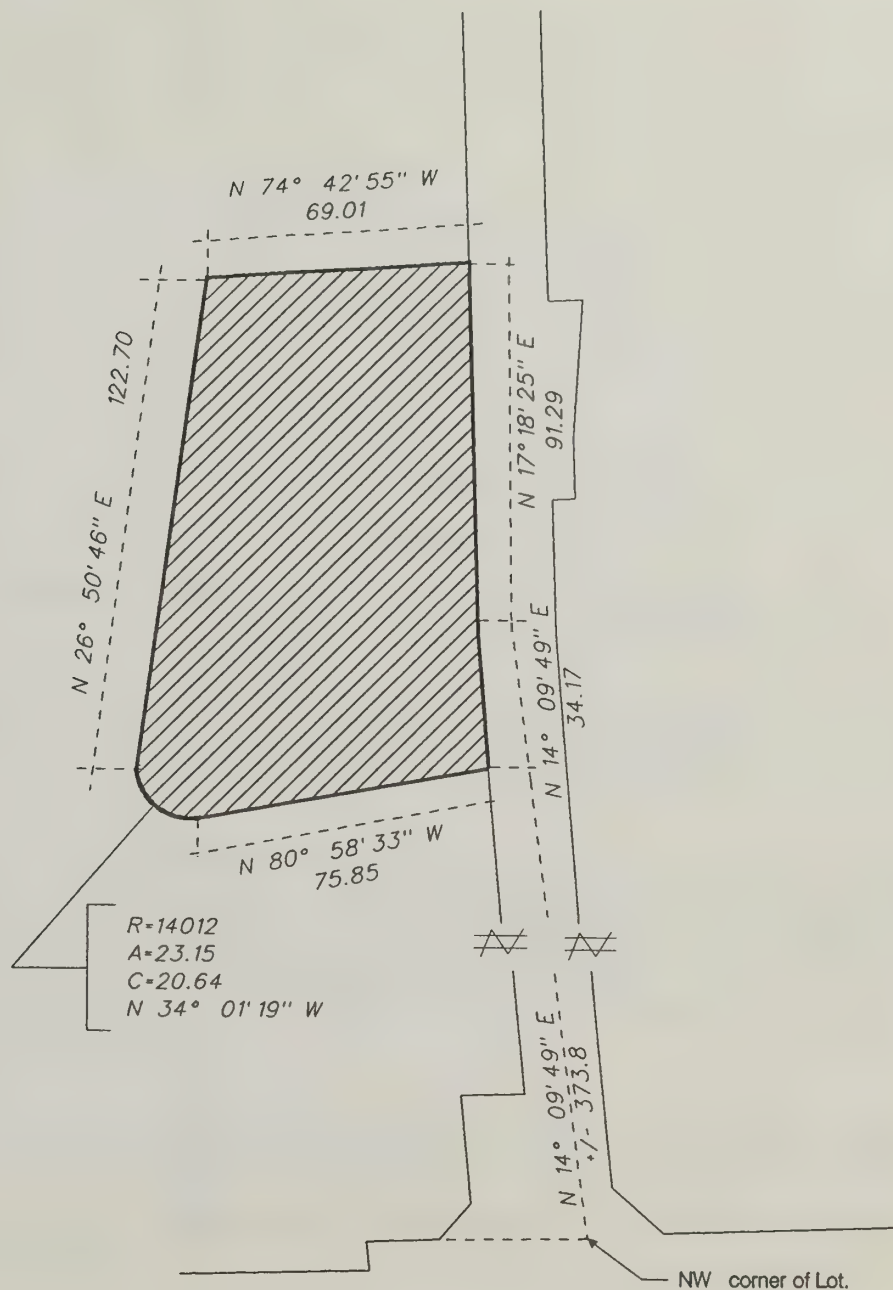
PASSED this 26th day of May A.D. 1998



CITY CLERK

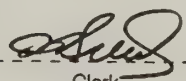



MAYOR



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-151
Passed the 26th day of May, 1998.


Clerk


Mayor

City of Hamilton

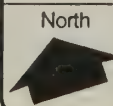
Schedule "A"

Map Forming Part of
By-Law No. 98-151
to Amend By-Law No. 6593

Planning and Development Department

Legend

 Modification to the established
"M-13" (Prestige Industrial) District, Modified



Scale
NOT TO SCALE

Date
May 1998

Reference File No.
ZAC-98-06

Drawn By
B. B./J.S

The Corporation of the City of Hamilton

BY-LAW NO. 98-171

To Amend:

Zoning By-law No. 6593

As Amended by Zoning By-law No. 67-97

Respecting:

LAND LOCATED AT MUNICIPAL NO. 329 MOHAWK ROAD WEST

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 67-97 on the 14th day of March, 1967 to establish special requirements under Section 19B of Zoning By-law 6593, for the "C" District, in respect of the lands located on the south side of Mohawk Road West between Millbank Place and Southlea Drive, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 19th day of May, 1967, (File No. P. 3651-67);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593 and as amended by By-law No. 67-97 applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are further amended to the extent only of the special requirements that,

- (a) notwithstanding Schedule "A" of By-law No. 67-97, an 18.80 metres minimum front yard setback from the street line of Mohawk Road West shall be provided and maintained for the two (2) storey westerly addition;
- (b) notwithstanding Schedule "A" of By-law No. 67-97, a 4.5 metres minimum westerly side yard shall be provided and maintained for the two (2) storey westerly addition;
- (c) notwithstanding Schedule "A" of By-law No. 67-97, one (1) parking space shall be permitted within the required front yard along Mohawk Road West;
- (d) notwithstanding Schedule "A" of By-law No. 67-97, the parking area, existing on the date of the passing of this by-law, shall be permitted within the required front yard along Lynbrook Drive;

- (e) notwithstanding Schedule "A" of By-law No. 67-97, an accessory building, existing on the date of the passing of this by-law, shall be permitted within the front yard along Lynbrook Drive;
- (f) a planting strip having a width of not less than 4.5 metres shall be provided and maintained along the westerly lot line.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-41a.

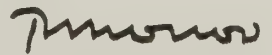
4. Sheet No. W-17 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-41a.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 30th day of June A.D. 1998



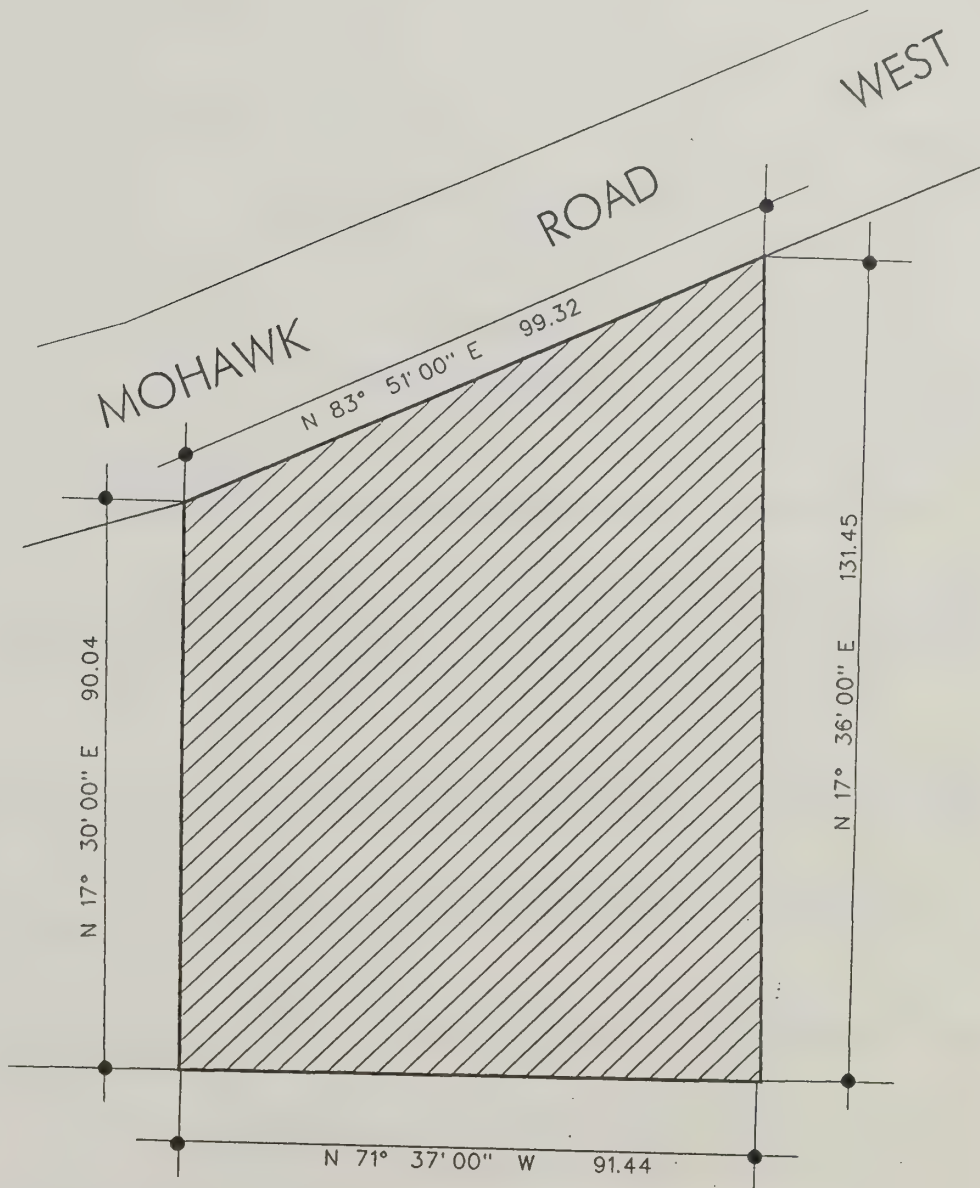
CITY CLERK



MAYOR



(1998) 9 R.P.D.C. 2, May 12
Sisters of St. John the Baptist, Owner
ZAC-97-36



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-171
 Passed the 30th day of June, 1998:

Clerk

Mayor

City of Hamilton

Schedule "A"

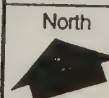
Map Forming Part of
 By-Law No. 98-171
 to Amend By-Law No. 6593

Planning and Development Department

Legend



Further modification to the "C" (Urban Protected Residential, etc.) District.



North

Scale
 NOT TO SCALE

Date
 May 1998

Reference File No.
 ZAC-97-36

Drawn By
 B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 98- 177

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT THE REAR OF MUNICIPAL NO. 27 ALBERT STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

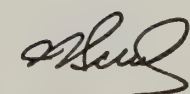
1. Sheet No. E-34 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

(a) by changing from "G-3" (Public Parking Lots) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 30th day of June A.D. 1998.



CITY CLERK

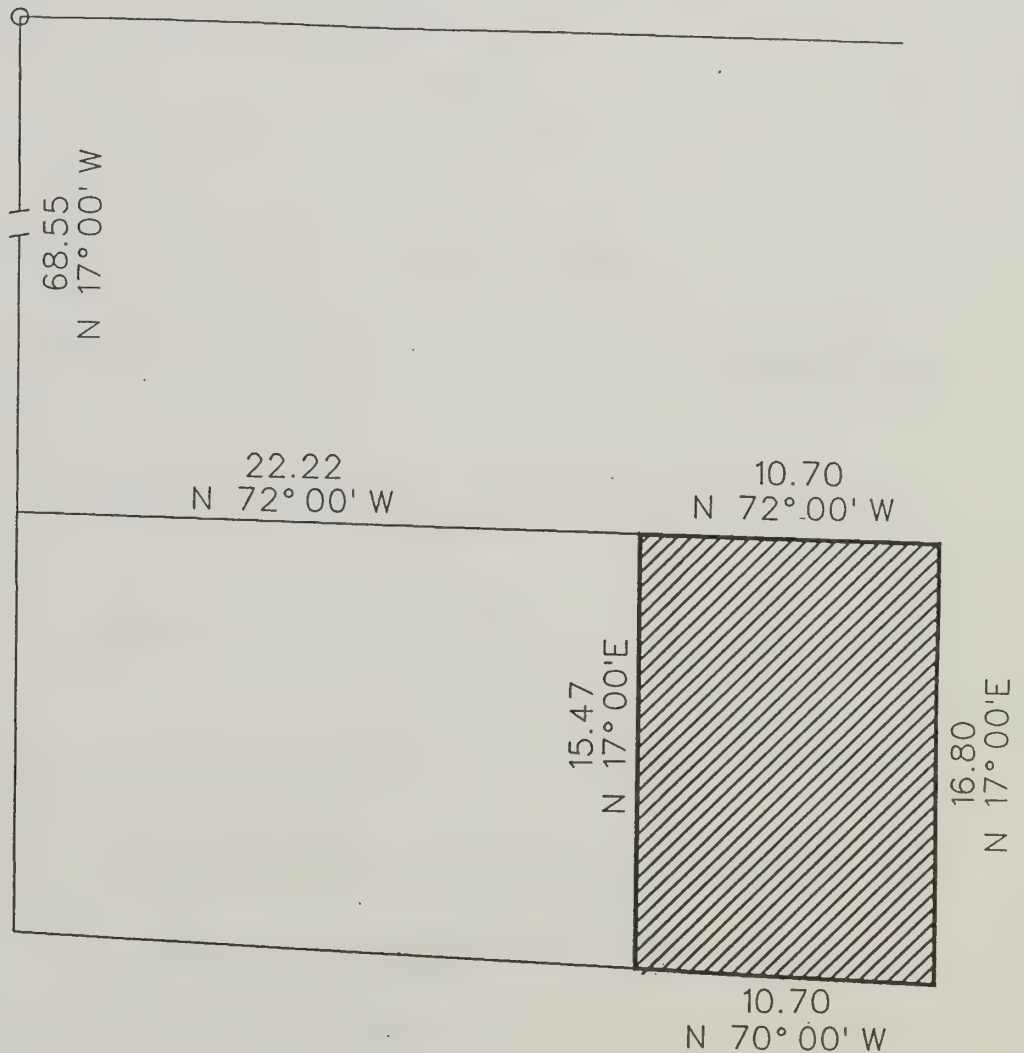


MAYOR

(1998) R.P.D.C. June 30
Daniel Ford, owner
ZAR-98-16

MAIN STREET EAST

ALBERT STREET



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-177.
Passed the 30th day of June, 1998.

Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 98-177.

Planning and Development Department

Legend

Change in zoning:



From "G-3" (Public Parking Lots) District
to "D" (Urban Protected Residential - One
and Two Family Dwellings, etc.) District



Scale
Not to Scale
Date
JUNE 1998

Reference File No.
ZAR-98-16
Drawn By
D.L.

The Corporation of the City of Hamilton

BY-LAW NO. 98- 174

To Amend

By-law No. 93-167

Respecting

BUILDING PERMITS AND FEES

WHEREAS By-law 93-167 was enacted on July 27, 1993 concerning Building Permits and Fees;

AND WHEREAS Council, on March 31, 1998, in adopting Section 10 of the 6th Report of the Planning and Development Committee authorized an amendment to By-law No. 93-167;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 4 of By-law No. 93-167 is amended by the addition of the following subsection:
 - (6A) In addition to the applicable requirements of subsection (2) above, every sewage system **permit** application shall contain the following information:
 - (a) the name, address, telephone number, and licence number of the person installing the sewage system,
 - (b) where the person named in (a) above requires a licence under the Act and the **Building Code**,
 - (i) the number and date of issuance of the licence, and
 - (ii) the name of the qualified person supervising the work to be done under the sewage system **permit**;
 - (c) a site evaluation which shall include all of the following items, unless otherwise specified by the **Chief Building Official**,
 - (i) the date the evaluation was done,
 - (ii) the name, address, telephone number and signature of the person who prepared the evaluation,
 - (iii) a scaled map of the site showing the legal description, lot size, property dimensions, existing rights-of-way, easements, or municipal/utility corridors; the location of items listed in Column 1 of the Table 8.2.1.5.A., 8.2.1.5.B. and 8.2.1.5.C; the location of the proposed sewage system; the location of any unsuitable, disturbed or compacted areas, and the proposed access routes for system maintenance,

- (iv) depth to bedrock,
- (v) depth to zones of soil saturation,
- (vi) soil properties, including soil permeability, and
- (vii) soil conditions, including the potential for flooding; and,

2. Schedule "A" of By-law No. 93-167 is amended by the addition of the following classes of permits and fees:

<u>CLASS OF PERMIT</u>		<u>FEE</u>
11.	(a) Permit for the construction of on-lot sewage system pursuant to the provisions of the Building Code Act	\$500.00
	(b) Permit for the repairs to an existing on-lot sewage system pursuant to the provisions of the Building Code Act	\$200.00
	(c) Preparation of written comments and inspection for land severance, minor variance and re-zoning applications for lots with existing septic systems	\$200.00

PASSED this 30th day of June, 1998.



CITY CLERK



MAYOR



The Corporation of the City of Hamilton

BY-LAW NO. 98-178

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 349 AND 353 ACADIA DRIVE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

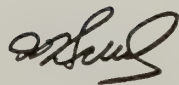
1. Sheet No. E-27C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Dwelling) District, the lands comprised in Block 1; and,
- (b) by changing from "AA" (Agricultural) District to "R-4" (Small Lot Single Family Dwelling) District, the lands comprised in Block "2",

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 30th day of June A.D. 1998.



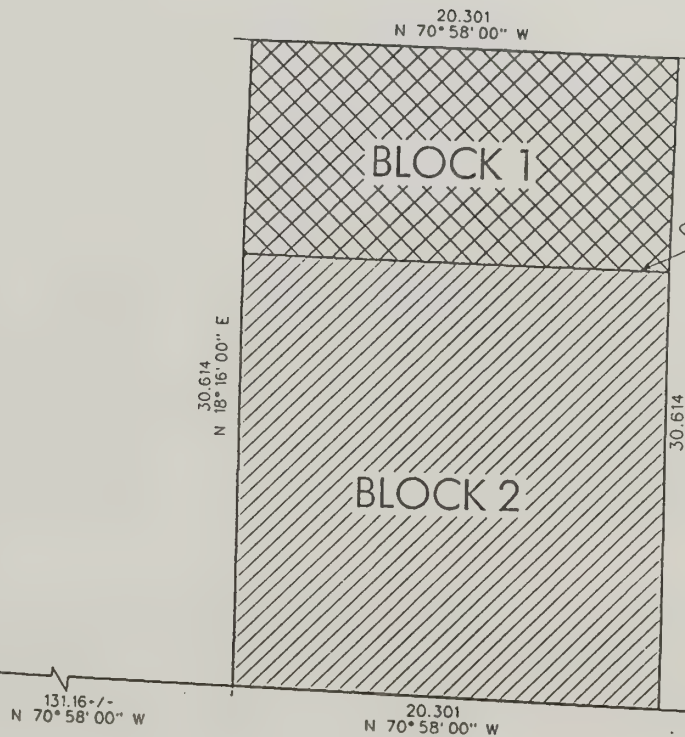
CITY CLERK



MAYOR

(1998) R.P.D.C. June 30
J. Arruda, applicant
ZAR-98-19

RIDGEMOUNT DRIVE



Boundary Between Existing "C" and "AA" Zone

ACADIA DRIVE

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-178
Passed the 30th day of June, 1998.

Clerk

Mayor

City of Hamilton

Schedule A

Map Forming Part of
By-Law No. 98-178
to Amend By-Law No. 6593

Planning and Development Department

Legend



BLK 1

"C" (Urban Protected Residential, etc.)
District, to "R-4" (Small Lot Single Family
Dwelling) District.



BLK 2

"AA" (Agricultural) District to "R-4" (Small Lot
Single Family Dwelling) District.

North



Scale
Not to Scale

Date
JUN 10 1998

Reference File No.
ZAR-98-19

Drawn By

The Corporation of the City of Hamilton

BY-LAW NO. 98- 181

To Amend:

Zoning By-law No. 6593
As Amended By Zoning By-law No. 98-148

Respecting:

**LANDS LOCATED AT MUNICIPAL NOS. 400 YORK BOULEVARD
AND 16 MAGILL STREET**

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 98-148 on the 26th day of May, 1998 to rezone the subject lands from "E" (Multiple Dwellings, Lodges, Clubs etc.) District to "E"-'H' (Multiple Dwellings, Lodges, Clubs, etc. - Holding) District, modified, for Block 1 and from "H" (Community Shopping and Commercial, etc.) District, modified to "G-3"-'H' (Public Parking Lots - Holding) District, modified, for Block 2, and to establish special requirements with respect to Blocks 1 and 2, the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan thereto annexed as Schedule "A", which By-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS Section 2 of By-law No. 98-148 provides that once a condominium has been registered on title to the lands known as 400 York Boulevard (Block 1) and 16 Magill Street (Block 2) and these lands have been included in the description and the declaration of the said condominium to the satisfaction of the Director of Planning and Development and the City Solicitor, the 'H' symbol shall be removed by amendment to By-law No. 98-148;

AND WHEREAS Inhibiting Orders to be registered on the title to the lands at 400 York Boulevard and 16 Magill Street will replace the 'H' symbol;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

AND WHEREAS City Council, at its meeting held on the 30th day of June, 1998 directed that By-law No. 98-148 be amended to remove the 'H' (Holding) symbol in respect of the subject lands.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The 'H' (Holding) symbol affixed by By-law No. 98-148, passed on the 26th day of May, 1998, to the "E"-'H' (Multiple Dwellings, Lodges, Clubs, etc. - Holding) District, modified for Block 1 and to the "G-3"-'H' (Public Parking Lots - Holding) District, modified, for Block 2, the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan annexed as Schedule "A" to By-law No. 98-148 and forming part thereof is hereby removed, and the development of the lands may proceed in accordance with the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, modified and "G-3"(Public Parking Lots) District, modified, provisions of Zoning By-law No. 6593, subject to the special requirements referred to in sections 3 and 4 of By-law No. 98-148.

2. Sheet No. W-11 of the District Maps, appended to and forming part of Zoning By-law No. 6593, as amended by section 1. of By-law No. 98-148, is further amended by changing from "E"-'H' (Multiple Dwellings, Lodges, Clubs, etc. - Holding) District, modified to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District for Block "1" and from "G-3"-'H' (Public Parking Lots - Holding) District, modified, to "G-3" (Public Parking Lots) District, modified, for Block 2, the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A" and forming part of this By-law.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E" District and "G-3" District provisions, subject to the special requirements referred to in sections 3 and 4 of By-law No. 98-148.

4. By-law No. 6593, as amended by By-law No. 98-148, is further amended by adding this by-law to section 19B as Schedule S-481e.

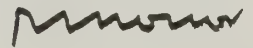
5. Sheet No. W-11 of the District Maps, as amended by By-law No. 98-148, is amended by marking the lands referred to in section 1. of this by-law, S-481e.

6. In all other respects, By-law No. 98-148 is hereby confirmed, unchanged.

PASSED this 30th day of June A.D. 1998.



CITY CLERK

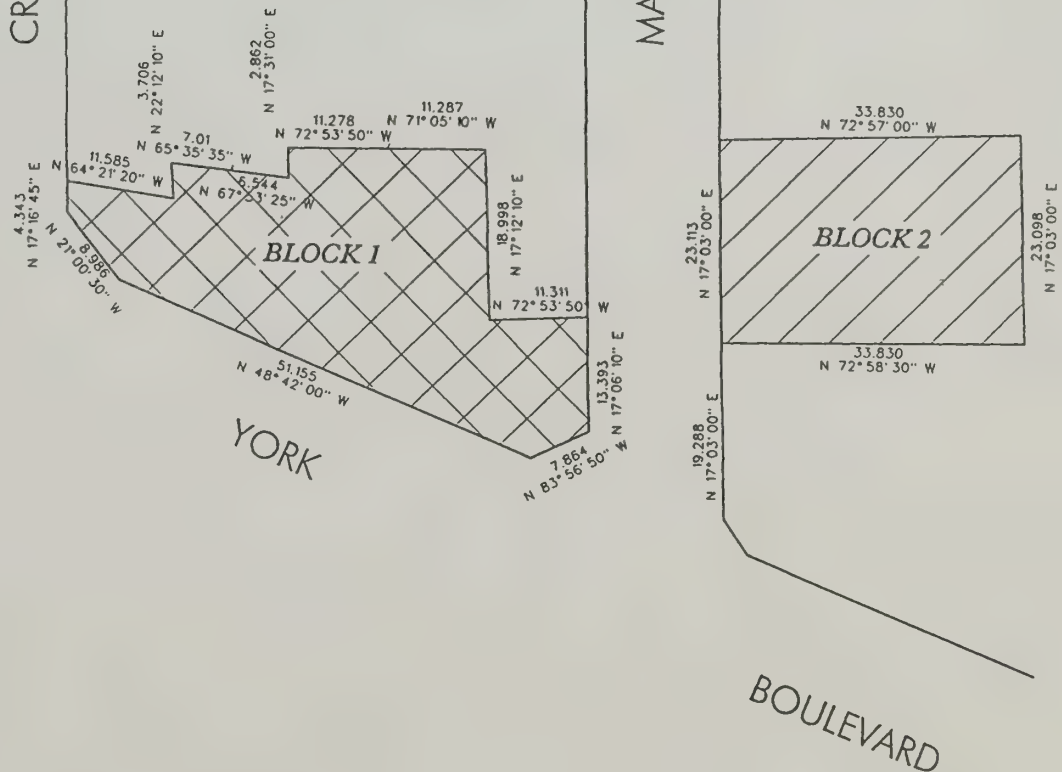



MAYOR

(1998) 13 R.P.D.C. , June 30
1210800 Ontario Limited, owner
ZAC-98-05

CROOKS STREET

MAGILL STREET



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-181
 Passed the 30th day of June, 1998.

[Signature]
 Clerk

[Signature]
 Mayor

City of Hamilton

Schedule A

Map Forming Part of
 By-Law No. 98-.....
 to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in Zoning From:

- BLK 1
 "E" - "H" (Multiple Dwellings, Lodges, Clubs, etc. - Holding) District, Modified to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, Modified.
- BLK 2
 "G-3" - "H" (Public Parking Lots - Holding) District, Modified to "G-3" (Public Parking Lots) District, Modified.

North



Scale
 Not to Scale

Date
 JUNE 1998

Reference File No.
 ZAC-98-05

Drawn By
 R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 98- 182

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO.

237-247 CENTENNIAL PARKWAY NORTH

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-103 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "JJ" (Restricted Light Industrial) District to "HH" (Restricted Community Shopping and Commercial, etc.) District modified, the lands comprised in Block "1",

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "HH" (Restricted Community Shopping and Commercial, etc.) District provisions, as contained in Section 14A of Zoning By-law No. 6593, applicable to the lands comprised in Blocks "1" and "2", shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 14A.(3)(a) of Zoning By-law No. 6593, no front yard setback shall be provided or maintained for the southerly building only on Block "2";
- (b) notwithstanding Section 14A.(3)(c) of Zoning By-law No. 6593, a rear yard of a depth of at least 4.5 m shall be provided and maintained to the westerly lot line;
- (c) notwithstanding Section 18A.(1)(d) of Zoning By-law No. 6593, a minimum of one loading space measuring 18.0 m x 3.7 m x 4.3 m shall be provided and maintained;

- (b) notwithstanding Section 14A.(3)(c) of Zoning By-law No. 6593, a rear yard of a depth of at least 4.5 m shall be provided and maintained to the westerly lot line;
- (c) notwithstanding Section 18A.(1)(d) of Zoning By-law No. 6593, a minimum of one loading space measuring 18.0 m x 3.7 m x 4.3 m shall be provided and maintained;
- (d) not more than one access driveway shall be provided and maintained along the easterly lot line;
- (e) not more than two access driveways shall be provided and maintained along the southerly lot line;
- (f) a landscaped area having a minimum average width of 3.0 m but not less than 1.0 m in width, shall be provided and maintained along the entire easterly lot line, except for the area used for an access driveway;
- (g) a landscaped area having a minimum average width of 3.0 m but not less than 1.0 m in width, shall be provided and maintained along the entire easterly 70.0 m of the southerly lot line, except for any area used for an access driveway.

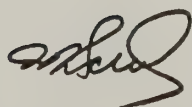
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1408.

5. Sheet No. E-103 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1408.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

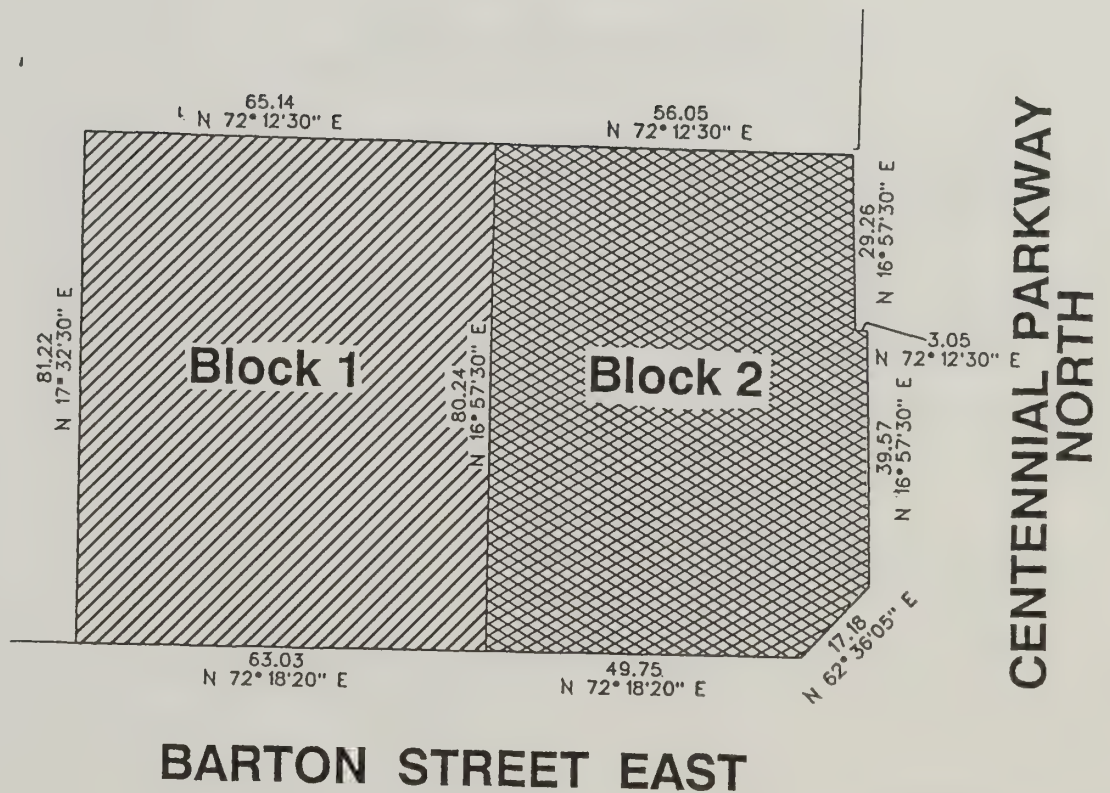
PASSED this 30th day of June A.D. 1998



CITY CLERK




MAYOR



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-182...
 Passed the 30th day of June, 1998.

[Signature]
 Clerk

[Signature]
 Mayor

City of Hamilton

Schedule A

Map Forming Part of
 By-Law No. 98-182...

Planning and Development Department

Legend

BLOCK 1

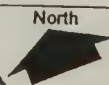


Change in zoning from "JJ" (Restricted Light Industrial) District to "HH" (Restricted Community Shopping and Commercial, etc.) District, modified.

BLOCK 2



Modification to the "HH" (Restricted Community Shopping and Commercial, etc.) District.



Scale
 Not to Scale

Date
 JUNE 1998

Reference File No.
 ZAC-98-14

Drawn By
 D.L.

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 98-189

BEING A BY-LAW TO AMEND
BY-LAW NO. 89-72 TO REGULATE TRAFFIC

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 28th day of February, 1989, the Council of the Corporation of the City of Hamilton enacted By-law 89-72 to regulate traffic;

AND WHEREAS it is necessary to amend By-law 89-72, as amended;

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. That Schedule 10 (Stops at Intersections) of By-law 89-72, as amended, is hereby amended by adding thereto the following items, namely:-

"Veevers	Westbound	Ambrose
Fano	Northbound	Supreme."
2. That Schedule 12 (One Way Streets) of said By-law be amended by deleting therefrom the following item, namely:-

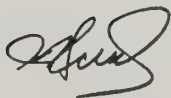
"Cline	Easterly	180 ft. W of King	King."
--------	----------	-------------------	--------
3. That Schedule 31 (School Bus Loading Zones) of said By-law is hereby amended by adding thereto the following item, namely:-

"Cumberland South	296 feet .	47 feet west of the west	7:00 a.m. - 6:00 p.m.
		curb line of Prospect	Monday to Saturday."
4. That Schedule 38 (Highways Restricted By Class of Vehicle) of said By-law be amended by adding thereto the following item, namely:-

"Cline	commencing at King and extending 180 feet	Westbound."
	westerly therefrom	
5. In all other respects, By-law 89-72 and all Schedules thereto, as amended, are hereby confirmed, unchanged.

6. This By-law shall come into force and take effect on the day of its passing and enactment.

PASSED this 7th day of July 1998.



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 98-1 95

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED ON THE EAST SIDE OF HUGHSON STREET NORTH,
NORTH OF WILSON STREET AND KNOWN MUNICIPALLY AS
41 AND 51 WILSON STREET AND 99 JOHN STREET NORTH**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-4 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "H" (Community Shopping and Commercial, etc.) District to "RT-30" (Street - Townhouse) District, the land,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

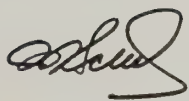
2. The "RT-30" (Street - Townhouse) District provisions, as contained in Section 10F. of Zoning By-law No. 6593, applicable to the land referred to in section 1, are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 10F.(3) of Zoning By-law No. 6593, a maximum height of four (4) storeys shall be permitted;
- (b) notwithstanding Sections 10F.(4)(b) and (c) of Zoning By-law No. 6593, a minimum 6.0 metres rear yard and 1.5 metres side yards shall be provided and maintained;
- (c) notwithstanding Section 10F.(4)(a) and (b) of Zoning By-law No. 6593, a minimum 5.3 meters front yard and rear yard shall be provided and maintained for every cantilevered portion of the building within a bay, alcove and fourth storey.
- (d) notwithstanding Section 10F.(6) of Zoning By-law No. 6593, a minimum lot area of 130.5 square metres and a minimum lot width of 5.8 metres shall be provided and maintained for each single family dwelling unit;

- (e) notwithstanding Section 10F.(9) of Zoning By-law No. 6593, not more than nine (9) single family dwellings shall be attached in a continuous row;
 - (f) notwithstanding Section 18.(3)(vi)(e) of Zoning By-law No. 6593, the uncovered front porch may extend 1.4m above the floor level of the first storey;
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "RT-30" District, subject to the special requirements referred to in section 2.
4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1404.
5. Sheet No. E-4 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1404.
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 7th day of July

A.D. 1998

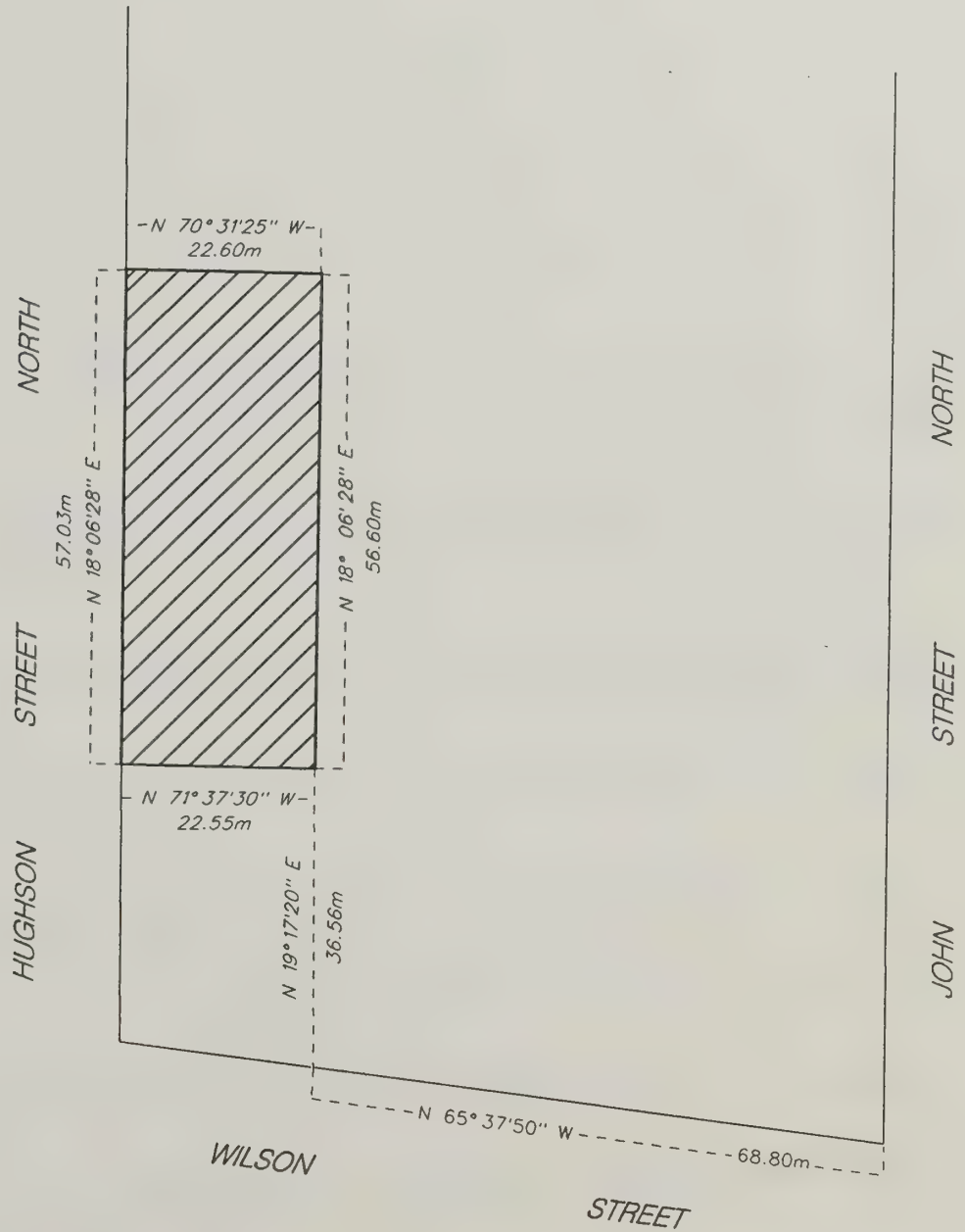


CITY CLERK




MAYOR

(1998) 9 R.P.D.C. 1, May 12
 (1998) 13 R.P.D.C. 28, June 30
 Giovanni (John) Fortino, Owner
 Amended ZAC-98-08



This is Schedule "A" to By-Law No. 98-195
 Passed the 7th day of July, 1998.

[Signature]
 Clerk

[Signature]
 Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 98-195

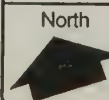
to Amend By-Law No. 6593

Planning and Development Department

Legend



Change in Zoning from: "H"
 (Community Shopping and Commercial, etc.)
 District to "RT - 30"
 (Street Townhouse) District



North

Scale
 NOT TO SCALE

Date
 May, 1998

Reference File No.
 ZAC-98-08

Drawn By
 JSims

The Corporation of the City of Hamilton

BY-LAW NO. 98-1 96

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED NORTH OF STONE CHURCH ROAD WEST,
WEST OF WEST FIFTH STREET AT THE SOUTH END OF ANNABELLE STREET**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

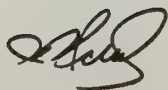
1. Sheet No. W-9C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 7th day July A.D. 1998.

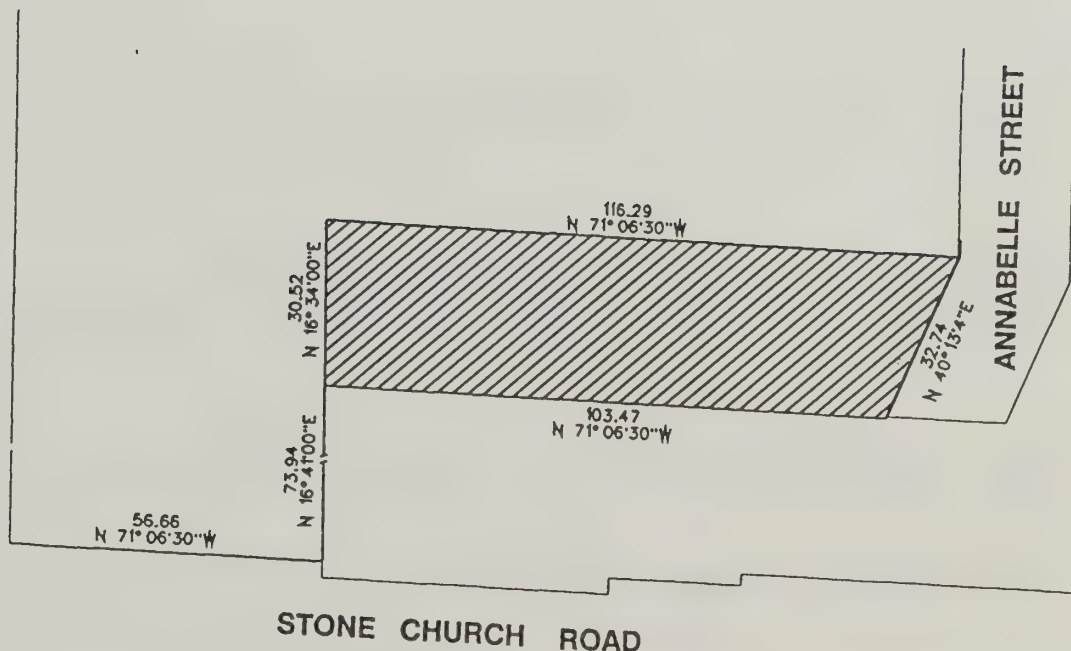


CITY CLERK



MAYOR

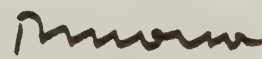
(1998) R.P.D.C. ,July
J. Zaborsky, owner.
ZAC-98-15



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-196,
Passed theth.... day ofJuly....., 1998.


Clerk


Mayor

City of Hamilton

Schedule A

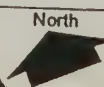
Map Forming Part of
By-Law No. 98-196

Planning and Development Department

Legend



Change in zoning from
"AA" (Agricultural) District to
"C" (Urban Protected Residential,
etc.) District



Scale
Not to Scale
Date
JUNE 1998

Reference File No.
ZAC-98-16
Drawn By
D.L.

The Corporation of the City of Hamilton

BY-LAW NO. 98- 205

To Amend:

Zoning By-law No. 6593

Respecting:

**LAND LOCATED EAST OF WEST 5TH STREET and NORTH OF
STONECHURCH CHURCH ROAD WEST**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-9C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District those lands comprised in Block "1"; and,
- (b) by changing from "AA" (Agricultural) District to "D" (Urban Protected Residential - One and Two Family, etc.) District modified, those lands comprised in Block "2",

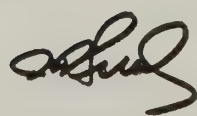
the Block 1 and 2 lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. The "D" (Urban Protected Residential - One and Two Family District, etc.) District provisions, as contained in Section 10. of Zoning By-law No. 6593, applicable to the lands referred to in section 1.(b) are amended to the extent only of the special requirements that,

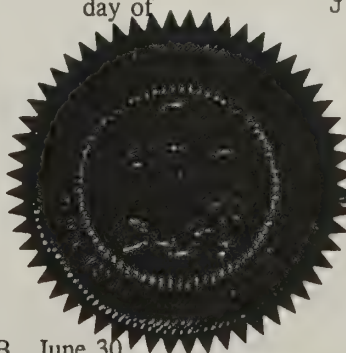
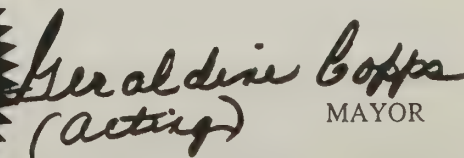
- (a) notwithstanding Section 10.(1) of Zoning By-law No. 6593, only the following uses shall be permitted:
 - 1. not less than 10 single family dwellings;
 - 2. not more than 8 two-family dwellings; and,

3. not more than 16 street townhouse dwelling units subject to the "RT-30" District provisions of Section 10.F.
- (b) notwithstanding Section 10.(3)(i) of Zoning By-law No. 6593, for a single family dwelling and a two family dwelling, the following shall apply:
 1. a front yard having a depth of not less than 4.5 metres to the main wall of the dwelling shall be provided and maintained;
 2. a front yard having a depth of not less than 6.0 metres to the garage or carport shall be provided and maintained;
- (c) notwithstanding Section 10.F(9) of Zoning By-law No. 6593, for a street townhouse dwelling not more than four single family dwelling units shall be attached in a continuous row;
- (d) notwithstanding Section 10.F(4)(a) of Zoning By-law No. 6593, for a street townhouse dwelling, the following shall apply:
 1. a front yard having a depth of not less than 4.5 metres to the main wall of the dwelling shall be provided and maintained;
 2. a front yard having a depth of not less than 6.0 metres to the garage or carport shall be provided and maintained.
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in section 2.
4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1406.
5. Sheet No. W-9C of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1406.
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 9th day of July A.D. 1998

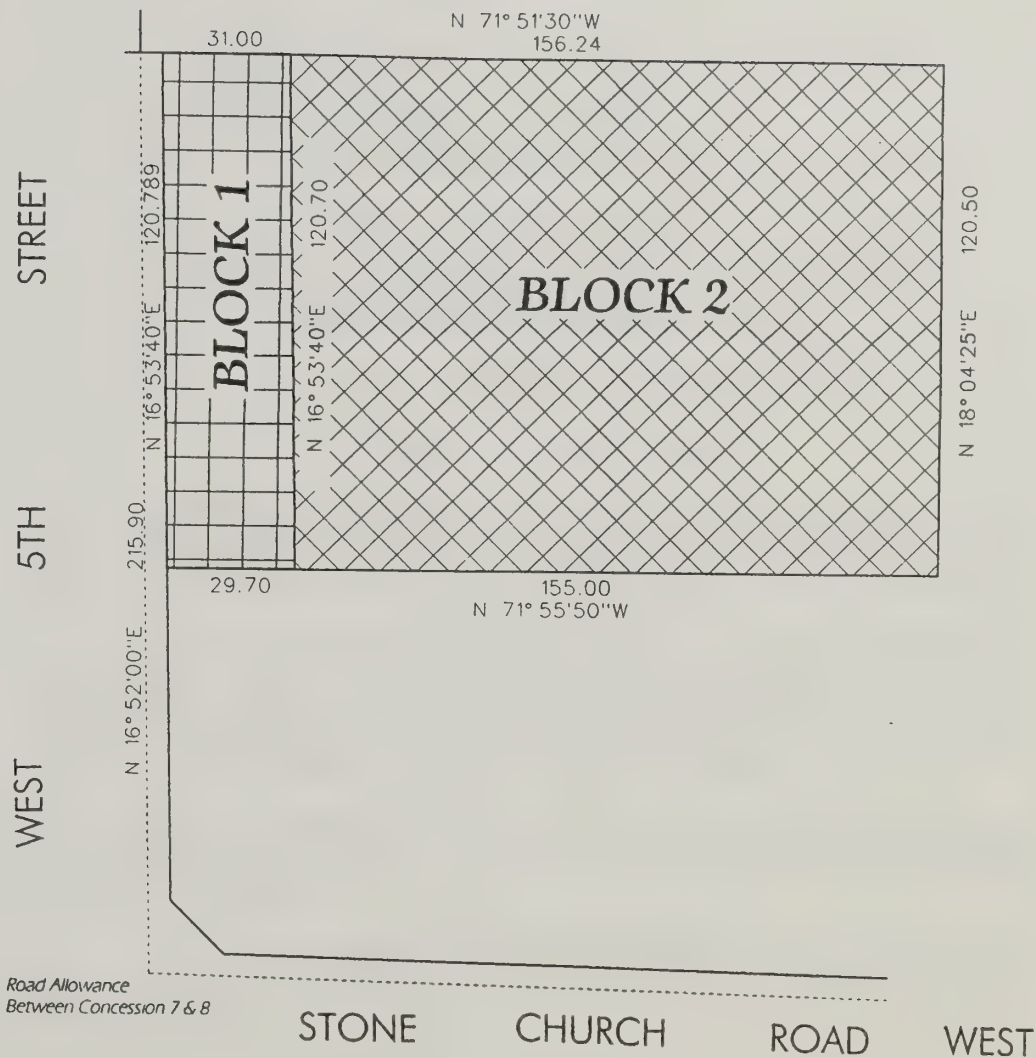


CITY CLERK

(acting)

MAYOR



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-205
 Passed the 21st day of July, 1998.

[Signature]
 Clerk

[Signature]
 Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
 By-Law No. 98-205

to Amend By-Law No. 6593

Planning and Development Department

Legend



BLOCK 1
 "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.



BLOCK 2
 "AA" (Agricultural) District to "D" (Urban Protected Residential - One and Two Family, etc.) District, Modified.

North



Scale
 NOT TO SCALE

Date
 JUNE 1998

Reference File No.

ZAC-98-13

Drawn By

R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 98-156

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-law No. 96-092

Respecting:

THIRD PARTY/BILLBOARD SIGNS

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 3 of the 8th Report of the Planning and Development Committee at its meeting held on the 14th day of May 1996, recommended that By-law No. 6593 be amended to provide for a general text amendment to the said by-law with respect to special requirements for third party/billboard signs, as hereinafter provided;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 96-092 on the 14th day of May 1996 to establish special requirements for third party/billboard signs;

AND WHEREAS the Ontario Municipal Board by Order dated the 8th day of August 1997, (File No. PL968698), directed that By-law No. 96-092 be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 11. (15)(2)(c) of Zoning By-law No. 96-092 is amended by adding the word "radial" between the words "minimum" and "separation" in the first line.
2. Section 11. (15)(2)(d) of the said by-law is amended by deleting the number "36" in the first line and substituting the number "30" therefor.
3. Section 11. (15)(2)(e) of the said by-law is amended by deleting the number "7.6" in the second line and substituting the number "10.0" therefor.
4. In all other respects, By-law No. 96-092, is hereby confirmed, unchanged.

NOTE: BY-LAW NO. 96-092, ENACTED BY CITY COUNCIL ON THE 14TH DAY OF MAY 1996, WAS SUBSEQUENTLY AMENDED BY ONTARIO MUNICIPAL BOARD ORDER DATED AUGUST 8, 1997, (O.M.B. FILE NO. PL968698)

ISSUE DATE

AUG 08 1997

DIVISION ORDER No.

0775



Ontario

PL968698

Ontario Municipal Board

Commission des affaires municipales de l'Ontario

Gould Outdoor Advertising has appealed to the Ontario Municipal Board under subsection 34(19) of the Planning Act, R.S.O. 1990 c.P.13, against Zoning By-law 96-092 of the City of Hamilton

O.M.B. File No. R 960187

COUNSEL:

A. Steele

for

Gould Outdoor Advertising
(A Division of Jim Pattison Enterprises Ltd.)

A. Zuidema

for

The Corporation of the City of Hamilton

APPEARANCE:

D. Clark

THIS IS EXHIBIT 'B' REFERRED TO IN THE
DECLARATION OF JOSEPH JOHN
SCHATZ SWORN BEFORE ME THIS 6th
DAY OF April
A.D., 1998.

KATHLEEN STASIUK, a Commissioner, etc.,
Regional Municipality of Hamilton-Wentworth,
for the Corporation of the City of Hamilton.
Expires April 16, 1999.

DECISION AND ORDER OF THE BOARD delivered by J.L. O'BRIEN**1. Background**

The Council of The Corporation of the City of Hamilton enacted By-law No. 96-092 on May 14, 1996 thereby amending its comprehensive zoning by-law. The purpose of the by-law is to provide a general text amendment regulating third party/billboard signs within the municipality.

The effect of By-law 96-092 is set out in the explanatory note which was circulated with the by-law, (Exhibit 2, p.113):

- 1) to add the term "billboard" to the definition of "third party signs";
- 2) to establish special requirements for third party/billboard signs;

- 2 -

- a) permitted only as ground signs or wall signs,
 - b) a maximum of one sign face with not more than two faces per property,
 - c) a minimum separation distance of 100 metres between each third party/
billboard sign,
 - d) the sign must be a minimum 36 metres from a residential district,
 - e) the maximum height is 7.6 metres and the maximum sign area is 25 square
metres per sign face,
 - f) illuminated signs are to have a steady light source and are to be shielded;
- 3) the third party/billboard signs are allowed in specified zones (G-1, G-2, H, HH, J, JJ, K and KK [the commercial and industrial zones]);
- 4) the third party/billboard signs will be prohibited in the Central Business District and G (Neighbourhood Shopping Centre) zones.

Prior to the by-law, there was no limit on the number of signs which could be erected, especially in the core of the City. There are approximately 500 signs at various locations in Hamilton, with approximately 27 located in the Central Business District. Heights, separation distances and locations were not regulated.

On February 20, 1996 Mediacom Inc., a competitor to the Appellant, requested the Planning and Development Committee to review the signs issue. That Committee on March 6, 1996 directed staff to prepare a preliminary report on the matter. The City also received correspondence from a concerned resident on March 12, 1996 expressing

- 3 -

concern with signage in the Mohawk/Sherman/Fennell commercial area and the negative effects on the adjacent residential community. By March 14, 1996 the Committee instructed staff to convene a public information meeting. Subsequent meetings confirming this direction were held by the Committee on March 20, and the Council on March 26, 1996.

The public meeting was held May 8, 1996. During the interval between the March meetings of Committee and Council, and the public meeting to consider the by-law, some contact was made with the Appellant to inform it of the City's actions and obtain input. The Planning and Development Committee approved the zoning report on May 8 and the Council confirmed those recommendations on May 14, 1996, enacting By-law 96-092 that same day. Exhibit 2 provides the chronology and the relevant correspondence between the parties, which the Board has noted and reviewed in detail.

The Appellant was the only party in attendance at the hearing and appealed the enactment of the by-law to the Board. Mr. D. Clark, who is a representative of Mediacom Inc., monitored the proceedings but did not present evidence. Mediacom's letters to the Planning and Development Committee dated February 20, 1996 (Exhibit 2, p.0) and March 6, 1996, (Exhibit 2, p.1), are the genesis for the actions taken by the City of Hamilton.

2) Preliminary Issue

The Board endeavoured, initially with considerable resistance, to ascertain the material Council had when it considered whether to enact the amendment to the zoning by-law. In particular, was the staff report which was prepared and sent to the Planning and Development Committee on May 8, 1996 at the Council meeting held May 14, 1996? Was the correspondence sent by the Appellant at the Council meeting? Was there a record of proceeding prepared of the Planning and Development Committee's public meeting held under the *Planning Act*, R.S.O. 1990, c. P.13, as amended? What the Board considered to be relatively innocuous questions about simple facts, created consternation for the City.

- 4 -

The Board required this information to assess if there was any material which the Council had that the Board did not have at the hearing, and *vice versa*.

The Board was, however, greatly assisted by Ms. T. Agnello from the City Clerk's Department, and appreciates her evidence given on short notice. The practice in the City of Hamilton is to distribute the Planning and Development Committee agendas to all members of Council, except one member who has requested not to receive the agenda. The material is sent prior to the Committee meeting. The agenda is not transmitted to Council after the Committee meets. The minutes of the Committee meeting are not forwarded to Council. The minutes are sent only to the Committee as part of subsequent Committee agendas at a later date. This practice is followed by all standing committees in that municipality.

Accordingly, on May 14, 1996 when Council considered the matter and enacted By-law 96-092, the only material formally at the Council meeting was the recommendation to amend the by-law from the Planning and Development Committee. It was incumbent on members of Council to bring the Committee agenda on their own initiative. The letter which the Appellant had sent to the Committee dated May 5, 1996 (Exhibit 2, p.59) expressing concern about the proposed action was distributed to the members of the Planning and Development Committee at the meeting held May 8, 1996, but it was not sent on to Council and was not received by non-Planning and Development Committee members.

This raised the issue of compliance with the public hearing provisions set out in the *Planning Act* and the delegation of that function to the Planning and Development Committee under the *Municipal Act*, R.S.O. 1990, c. M.45, as amended. The Board requested both counsel to submit written argument on whether the statutory procedures had been followed and the jurisdiction of the Board if there was a failure in that process. The Board has considered the submissions and appreciates the responses from the parties.

- 5 -

The Board will leave the matter for another forum to determine the validity of the process followed by the City in enacting By-law No. 96-092. The Board adopts the approach recited in Thompson v. City of Mississauga (1986), 19 O.M.B.R. 248, where Vice-Chair R.D.M. Owen observed (at 250):

"The board is satisfied that the law is clear and that it does not have the jurisdiction to question the validity of the by-law that comes before it under the *Planning Act, 1983*. This is a question solely for the courts."

Further, the Board noted (at 251):

"The power of this board as set out in s. 34 of the *Ontario Municipal Board Act* to hear and determine all questions of law or fact relates to cases where the board is dealing with planning matters, such as a by-law, on the merits and not in instances where the legal issues must be settled before planning matters can proceed to be heard on their merits. Such preliminary determinations are for the courts."

This approach was also followed in Commisso's Food Terminal Ltd. v. Welland (unreported, April 26, 1996, Files R 950254 and R 950255, [1996] O.M.B.D No. 593), where the Board stated (para. 122):

"In my opinion, an allegation that a municipality has failed to follow the statutory procedure for the passage of a zoning by-law is an allegation that the by-law is invalid. The remedy the concerned party must seek is to quash it in the Courts."

The Board, in the absence of a declaration the by-law and the process leading up to its enactment is invalid, and given the importance of this matter to the Council of the City of Hamilton, will proceed to deal with the appeal on its merits.

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3) Appellant's Case

a) Planning Evidence

i) Mr. Ronald Barr

Mr. Barr is the Executive Director, Community and Government Relations for the Appellant, a position which he has held since 1994. His experience includes several years with the City of Toronto and City of Etobicoke as a Public Affairs Coordinator. He is a member of the Signs Association of Canada/Outdoor Advertising Association, among numerous other associations and groups.

The process followed by the City which led to the enactment of the zoning amendments concerns him. There appeared to be a lack of consultation with the industry and the association which represents the sign industry. In particular, Gould was not approached by the City until late in the process, there was a short time frame to respond, and it seemed the matter was rushed through the municipal system.

He had requested more time to review materials and wanted the City to meet with the Signs Association. Every municipality is different. The best process is to mutually work-out an appropriate by-law that tailors separation distances, size of signs, locations and other matters in a collaborative manner with the stakeholders. The fate of signs which become non-conforming as a result of the by-law is problematic. If they are removed then replacement is not possible. The issue is one of competition and how it affects property owners.

The range and type of sign products were reviewed, leading to the assessment that the height restriction and size established in the by-law will have a detrimental impact on the signs erected by the Appellant.

He agreed that the municipality could regulate signs as a land use within the scope of the zoning by-law, although it was not a very common approach by municipalities. In cross-examination he admitted not reviewing the by-law for the hearing, and he could not comment on the concentration of signs in the Central Business District described in Exhibit 7. Further, he conceded the issue was partly a matter of due process and partly the protection of a market share of the signs in Hamilton. He confirmed that the Appellant was asking the City to create a competitive environment for the sign industry, for all companies and under a proper regulatory scheme.

ii) Mr. Bruce Richardson

Mr. Richardson is the Manager, Planning and Development, for the Appellant. His curriculum vitae, filed as Exhibit 8, indicates he is a qualified land use planner, with a concentration in environmental matters. He was not employed with the Appellant when the zoning amendment was enacted by the City, and he has nine months experience in the signs industry.

He was critical of the approach used by Hamilton. The staff reports to Council lacked an inventory of the signs in the Central Business District. The staff should have compiled a complete signs inventory, there should have been an inventory of all street signs, the height and type of buildings where signs are erected should have been included, and other matters should be documented such as the number of vacant parcels of land, the type of road network, traffic flow patterns and accident patterns. In his opinion, there is not a proliferation of signs in the area now.

The height restriction of 7.6 metres is too low and he would prefer that it be increased, in the range of 9.5 to 10.7 metres, thereby providing more flexibility for the products carried by the Appellant. The separation distance of 36 metres from a residential area will restrict where the Appellant can locate signs, especially given the narrow lot sizes

- 8 -

in the commercial areas, and should be replaced by a 'viewshed limit'. Essentially, if the sign cannot be seen by the abutting residential community it would be permitted.

He was also concerned with the haste with which the by-law was enacted. A more responsive process could have been followed to consult with the industry affected, and allow the companies to reply. While a public meeting was held under the *Planning Act*, the information provided was not sufficient to inform the public of the proposed changes.

He agreed in cross-examination that billboard signs can be located in Hamilton under the provisions of the zoning amendment, and if minor variances are required, these can be sought from the Committee of Adjustment. He expressed the opinion the by-law did not conform with the intent of the Official Plan, in particular Section 2.2.36 and Section 2.8.9. Any negative effect of signs could be addressed by urban design guidelines. While there is no limit imposed on the number of billboard signs in Hamilton generally, the restrictions imposed in the Central Business District are a concern to the Appellant.

The changes to the by-law would include a revision to the separation distance between commercial and residential areas, the viewline approach to residential areas, an increase to the height for ground signs, the repeal of the prohibition of signs in the Central Business District and the repeal of the prohibition for rooftop signs.

iii) Mr. Sid Catalano

Mr. Catalano is the Executive Director, Planning and Development for the Appellant, a position occupied since July, 1994. His prior experience included the City of Toronto Planning and Development Department and Housing Department as a planner, and policy analyst positions with the Alberta and New Brunswick governments. He is a member of the Canadian Institute of Planners and is a Registered Professional Planner.

- 9 -

The City had no objections to his qualifications as a planner.

He was critical of the process followed by the municipality leading to the enactment of the by-law. The signs by-law and the actions followed by the City of Toronto, with which he was involved, was related as the better approach. That process, under the provisions of the *Municipal Act*, involved extensive public consultation, monitoring and industry involvement. Similar approaches were used by London, Ottawa and Scarborough. The signs regulations should be under the *Municipal Act* rather than within a zoning by-law.

Commenting on the zoning by-law, the height should be increased to 9.0 to 10 metres, and the separation distance between commercial and residential areas should be re-examined, or a viewshed introduced. He agreed the City should have some controls on signs.

The municipality should provide an opportunity for sign operators to do business in Hamilton, but the by-law should also be fair and equitable to those operators. A voluntary freeze of all applications could be undertaken by the sign companies pending a more thorough review of the issues, but this had not been discussed with other sign companies by him. He agreed an interim control by-law under the *Planning Act* was not appropriate given the three year time limitation for another interim control action under the Act. He did attend the Planning and Development and Council meetings which were held to consider the by-law in May, 1996.

4) City's Case

i) Ms. Caroline Floroff

Ms. Floroff is a well-qualified Senior Planner with the City of Hamilton. She has in excess of 20 years experience in Hamilton and the Hamilton-Wentworth Region.

- 10 -

Memberships include the Canadian Institute of Planners, the Ontario Professional Planners Institute and Registered Professional Planner designation.

At the commencement of the hearing, Ms. Floroff presented an overview of the events leading to the enactment of the by-law. The by-law has city-wide application and certain areas where signs are prohibited. These areas are clearly depicted on Exhibits 6 and 7, which the Board has reviewed in preparing this Decision.

Planning concerns expressed to the City either by Mediacom Inc. or the area resident who wrote to the City, included clutter, the number of sign faces permitted and separation distances. In the core, clutter in her opinion will lead to a negative impact, and is a particular concern to the Council. The by-law does conform to the Official Plan. Those policies, including Section 2.8.9 were reviewed by Ms. Floroff in formulating her opinion.

The complete prohibition of signs in the Central Business District is consistent with other initiatives undertaken by Council to make it an attractive place for residents and businesses. Residential intensification, reduced parking for residential projects and community improvement by-laws are examples of those efforts.

The issue of non-conforming signs in the Central Business District has been taken into consideration by the Council. While it may create some problems for the sign industry, those problems do not warrant altering the by-law. The elimination of rooftop signs will improve the aesthetics of the core.

The staff had recommended a 30 metre separation distance between the signs in commercial areas and residential districts. The Council increased that distance, on a motion from one member at the Council meeting without staff input, to 36 metres. The witness however, at the hearing, could support the 36 metre separation established in the by-law as constituting good planning.

- 11 -

Ms. Floroff presented several photographs to illustrate her contention the existing signs contribute to clutter, a sense buildings are overtaken by the signage and add to visual intrusion of the core and other areas. These are all negative impacts, from a planning perspective. The City has been objective and considered amenity and appearance controls to be for the public benefit.

While the matter proceeded quickly through the Committee and Council, she was satisfied adequate opportunity was given to consider the issues, and for the Appellant to make its views known. In this case, competition among sign companies is not a matter which should be considered within the ambit of good planning.

Responding to the type of study suggested by the Appellant's witnesses that should have been undertaken, while the luxury of more time would be appreciated by the planning staff, the material produced was adequate to assess the situation and an exhaustive study of street signs, type of streets, intersection analysis etc., was not necessary. To the date of the hearing, no one has come forward to the City with proposed modifications to the zoning by-law for consideration by the municipality.

The by-law, in her opinion, was enacted in accordance with the notice requirements of the *Planning Act* and the Official Plan, and constituted good planning.

In cross-examination Ms. Floroff rejected the proposition site plan control would offer an adequate regulatory scheme for signs, especially regarding height and separation distances. The height limitation was determined by reviewing other municipalities' by-laws and how they approached the issue, and by discussing the matter with colleagues in the Planning Department. The suggested 10 metre height limit from the Appellant's witnesses may have some impact in certain situations. Similarly, the 30 metre separation distance was derived from other Hamilton by-laws, e.g. the radial separation distance between Short Term Care Facilities and residential areas. The elimination of rooftop signs could be

- 12 -

reconsidered and did merit a review and further study.

Finally, as a land use planner she had noticed the problem of signs in the City prior to the March 6, 1996 initiative, and while billboard signs have a place in the community, there is a point at which they become "too much".

The Planning Department does not have the review of billboard signs on its current workplan.

Responding to the questions of the Board, Ms. Floroff agreed that if time permitted a complete study of the signs issue, it would involve thorough consultation with other municipalities to ascertain their approach, complete evaluation of the options available, and more comprehensive investigation of the areas to which the by-law would apply. However, the City had covered the bases necessary to support the by-law and it did consult with the public.

5) Argument

a) Appellant

Counsel argued the process followed by the City was not fair, was not based on proper planning studies, and was not a proper balance of the public interest and private rights. The process was politically driven and had not appeared on the staff workplan prior to March, 1996. The City had complied with the minimum notice requirements set out in the *Planning Act*. However, notice is more than just knowing something is going to happen. There must be an opportunity for a considered response.

The sign industry has a special expertise which the City failed to utilize. Deferral of the matter to allow consultation would have been a prudent and responsible course of action. If the by-law is repealed, a vacuum will not occur. Rather, the prior regulatory regime will

continue to operate. A by-law under the *Municipal Act* is the better route to follow in this case, according to the Appellant.

If the by-law is to be amended, the Appellant requested the following matters to be considered: the prohibition of signs in the Central Business District, the elimination of rooftop signs, the height restriction of 7.6 metres, and the separation distance from residential districts.

There are only 27 signs in the Central Business District. They have historically been part of that area of the City, and the Official Plan provides for commercial uses in the core (Section 2.2.4). If the signs become non-conforming, the Appellant will never be able to compete or obtain any sign locations in the C.B.D.

Separation distances could control the issue of clutter expressed by the City Planner. The elimination of rooftop signs is extreme, especially where ground signs are inappropriate in some built-up areas.

Height controls established in the by-law do not recognize the range of products on the market. While the Appellant can accept some height restriction may be necessary, 10 metres is more appropriate and reflects the industry requirements.

The by-law should be repealed, according to the Appellant, and a proper, fair process followed with consultation involving all interested parties.

b) City

The City argued proper planning procedures had been followed, the by-law conforms to the Official Plan, and the Appellant was given an opportunity to address its concerns at the public Committee meetings.

The problem was clearly shown in Exhibit 11. The City had received 99 new billboard applications in less than two years. There is a battle in the sign industry for locations. The Council responded in the public interest. The situation warranted quick action. Deferral at the Planning and Development Committee would not have achieved any useful purpose if it had been breached by the filing of more applications for sign permits. There was a crisis at hand which had to be addressed by the Council.

The evidence led by the Appellant should be viewed as lacking objectivity, given the employment of the witnesses. Competition between sign operators is not a valid land use concern for the municipality.

There is no cap on the number of signs which may be located in Hamilton, and minor variance applications can be pursued by the Appellant in appropriate cases.

If the Appellant or the sign industry had come forward with proposals, the City would consider them. That was not the situation in this case, where no alternatives were put to the staff or Council. There was no planning basis to amend the by-law in the manner requested by the Appellant.

6) Disposition

The Board has considered the evidence and arguments of both parties. During the course of the proceedings, the Board took an extensive view of the Central Business District and surrounding areas to appreciate the concerns expressed on behalf of the Council and the position of the Appellant. On balance, the Board agrees that a problem exists and justified the action taken by the Council. While the record may indicate there appeared to be a rush to judgment, the City was confronted with an inordinate number of sign applications without having suitable regulatory controls in place to deal effectively with them.

- 15 -

The Board noted in particular, the assault on the visual senses by the signs and billboards as one traverses the main corridors in the Central Business District and the gateways to the core of the City. Accordingly, some form of intervention was necessary.

The Board, therefore, generally prefers the evidence of Ms. Floroff, who was forthright in her responses and demonstrated candour in acknowledging the process was fast but prudent.

The Board rejects totally, the submission by counsel for the City that the witnesses for the Appellant were not objective or somehow had an element of prejudice given their employment. While the Board has not completely agreed with their evidence, it has accepted, based on their expertise in the sign industry, that further minor changes should be made to the zoning by-law. These witnesses demonstrated frankness and professionalism during the course of their respective presentations and employment considerations did not influence their responses. The Board thanks Messrs. Barr, Richardson and Catalano for the valuable contribution each made to this hearing.

The Board is satisfied the by-law conforms with the Official Plan. Section 2.2.36 is contained in the "General Provisions" of the Plan dealing with commercial uses, and provides (Exhibit 3, p.10):

"The size of advertising, identification or other promotional signs and devices will be regulated by appropriate by-laws in order to avoid conflicts with effective traffic control and the general amenity of the area."

Further, Section 2.8.9 describes policies for the "Central Policy Area" as follows (Exhibit 3, Supplement, p. A-35):

"It is the intent of Council that the character and function of the CENTRAL POLICY AREA be enhanced. Specifically, Council will: ...

(vi) Endeavour to improve the streetscape in the CENTRAL POLICY AREA and, accordingly, will consider such actions as, but not limited to, the following:

c) regulation of signage."

The regulation of signs in the zoning by-law is a valid exercise of land use control and the policies recited support the provisions included in a zoning context.

While the Board accepts the evidence of Ms. Floroff, certain changes should be made to By-law No. 96-092 premised on the evidence and submissions of the Appellant. The Board had evidence and material at the hearing which Council appears, from the record, did not have to assess the matter.

It is evident the separation distance recommended by staff, being 30 metres, was altered by Council to 36 metres, without staff input or discussion with the sign industry. The Board is satisfied the depth of the lots in the commercial area coupled with a 36 metre separation distance will be too onerous on the Appellant and the industry. The by-law will be amended, pursuant to Section 34 of the *Planning Act* to limit that distance to 30 metres.

The height limit proposed, 7.6 metres, can cause problems to the industry given the type of products on the market which were reviewed by the witnesses for the Appellant with the Board. The Appellant recommended the height be set at 10 metres. The Board agrees this is reasonable and will order the by-law amended in that manner.

The by-law provides that "a minimum separation distance of 100 metres between each third party/billboard sign shall be provided and maintained". Ms. Floroff agreed with the suggestion from the Board that a radial separation should be inserted. That

- 17 -

amendment will be made to the by-law to make the intent clear.

The Board canvassed with the parties the possibility of issuing an order to limit the effective operation of the by-law for a fixed period of time, for example 1 or 2 years. During that time further study of the issues could be undertaken by the City but the immediate threat of billboard and sign proliferation would be controlled by the zoning restrictions. After deliberation, the Board was satisfied that approach is not available under Section 34 of the *Planning Act*, and time limits cannot be imposed.

However, the Board expresses the view further, comprehensive study of the issues should be undertaken by the municipality, with full and complete consultation involving all interested parties, including the Appellant and the Signs Association. The matter of non-conforming signs and the possibility of incorporating an existing uses clause should be explored. This is recommended given that, according to the City, the signage on the Copps Arena and the Zucker Art Gallery are rendered non-conforming under the by-law. Also, the rooftop sign issue, which Ms. Floroff suggested could benefit from additional analysis, should be placed in that planning program.

The recommendations adopted by Council at the meeting held on May 14, 1996 contained a direction to staff to monitor the by-law for one year and to report back to the Planning and Development Committee (Exhibit 2, p.96). The disposition of the by-law should now create the impetus to establish a joint City-sign industry committee to review the matters in greater detail, in a collaborative manner, as suggested by Ms. Floroff in her September 20, 1996 discussion with Mr. Richardson (Exhibit 2, p.128).

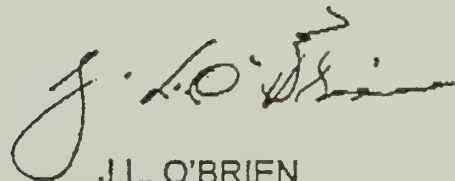
7) Order

The appeal is allowed, in part, and By-law No. 96-092 is amended, pursuant to Section 34 of the *Planning Act*, as follows:

- 1) Proposed subsection (15)(2)(c) of Section 18 of Zoning By-law No. 6593, recited in Section 11 of By-law No. 96-092, is amended by adding the word "radial" between the words "minimum separation";
- 2) Proposed subsection (15)(2)(d) of Section 18 of Zoning By-law No. 6593, recited in Section 11 of By-law No. 96-092, is amended by deleting the number "36" and substituting therefor the number "30";
- 3) Proposed subsection (15)(2)(e) of Section 18 of Zoning By-law No. 6593, recited in Section 11 of By-law No. 96-092, is amended by deleting the number "7.6" and substituting therefor the number "10.0".

Except as noted, the appeal is otherwise dismissed.

The Board so Orders.


J.L. O'BRIEN
MEMBER

The Corporation of the City of Hamilton

BY-LAW NO. 98-210

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED AT MUNICIPAL NOS.
1016, 1062 AND 1088 UPPER PARADISE ROAD**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-37D of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) District to "D" (Urban Protected Residential - One and Two Family, etc.) District, the lands comprised in Blocks "1", "2", "3" and "4"; and
- (b) by changing from "C" (Urban Protected Residential, etc.) District to "D" - 'H' (Urban Protected Residential - One and Two Family, etc. - Holding) District, the lands comprised in Block "5"; and
- (c) by changing from "AA" (Agricultural) District to "RT-20" (Townhouse - Maisonette) District, the lands comprised in Block "6",

the extent and boundaries of each of which Blocks "1", "2", "3", "4", "5" and "6" are shown on a plan hereto annexed as Schedule "A".

2. (a) The 'H' symbol applicable to the land comprised in Block "5" shall be removed conditional upon the realignment of Upper Paradise Road to the satisfaction of the Commissioner of Transportation.

(b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands comprised in Block "5" may at such time proceed in accordance with the "D" District provisions, subject to the special requirements contained in section 7 of this by-law.

3. The "D" (Urban Protected Residential - One and Two Family, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, applicable to the lands comprised in Block "2", referred to in section 1.(a), are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 10.(4)(i) of Zoning By-law No. 6593, for a single family dwelling a lot width of at least 11.0 metres and an area of at least 325.0 square metres shall be provided and maintained.

4. The "D" (Urban Protected Residential - One and Two Family, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, applicable to the lands comprised in Block "3", referred to in section 1.(a), are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 10.(4)(ii) of Zoning By-law No. 6593, for a two family dwelling a lot area of at least 500.0 square metres shall be provided and maintained.

5. The "D" (Urban Protected Residential - One and Two Family, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, applicable to the lands comprised in Block "1", "2" and "3", referred to in section 1.(a), are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 10.(3)(i) of Zoning By-law No. 6593, the following shall apply:
 - (i) a front yard having a depth of not less than 3.0 metres to the main wall of the dwelling;
 - (ii) a front yard having a depth of not less than 6.0 metres to the garage or carport;
- (b) lot coverage of all buildings and structures shall not exceed 40% of the lot area;
- (c) lot coverage shall mean the percentage of the lot area covered by every building and/or structure including accessory buildings;
- (d) notwithstanding Section 18.(4) of Zoning By-law No. 6593, a swimming pool shall not be permitted.

6. The "D" (Urban Protected Residential - One and Two Family, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, applicable to the lands comprised in Block "4", referred to in section 1.(a), are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 10.(4)(i) of Zoning By-law No. 6593, for a single family dwelling a lot area of at least 350.0 square metres shall be provided and maintained;
- (b) notwithstanding Section 10.(4)(ii) of Zoning By-law No. 6593, for a two family dwelling a lot area of at least 505.0 square metres shall be provided and maintained.

7. The "D" (Urban Protected Residential - One and Two Family, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, applicable to the lands comprised in Blocks "4" and "5", referred to in sections 1.(a) and (b), are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 10.(3)(i) of Zoning By-law No. 6593, a front yard of a depth of at least 4.5 metres shall be provided and maintained;
- (b) every roofed-over and unenclosed front porch shall have a minimum width of 3.0m and a minimum depth of 2.0m for every single family dwelling and two family dwelling;
- (c) notwithstanding Section 18.(3)(vi)(d) of Zoning By-law No. 6593, a roofed-over porch shall be set back at least 1.0 metres from the front lot line;
- (d) notwithstanding Section 10.(3)(ii) of Zoning By-law No. 6593, for a single family dwelling one side yard of at least 0.9 metres and one side yard of at least 2.8 metres shall be provided and maintained;
- (e) notwithstanding Section 10.(3)(ii) of Zoning By-law No. 6593, for a two family dwelling a side yard of at least 2.8 metres shall be provided and maintained;
- (f) in addition to the requirements of Section 18A. of Zoning By-law No. 6593, a T-shaped manouvering area shall be provided and maintained in the rear yard for each single family dwelling;
- (g) for every single family dwelling and for every dwelling unit of a two family dwelling, one required parking space shall be provided and maintained in a detached garage;
- (h) lot coverage of all buildings and structures shall not exceed 40% of the lot area;
- (i) lot coverage shall mean the percentage of the lot area covered by every building and/or structure including accessory buildings;
- (j) notwithstanding Section 18.(4) of Zoning By-law No. 6593, a swimming pool shall not be permitted.

8. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in sections 3, 4, 5, 6 and 7.

9. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1405.

10. Sheet No. W-37D of the District Maps is amended by marking the lands referred to in sections 1.(a) and (b) of this by-law, S-1405.

11. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 5th

day of

August

A.D. 1998

P. J. McDonald

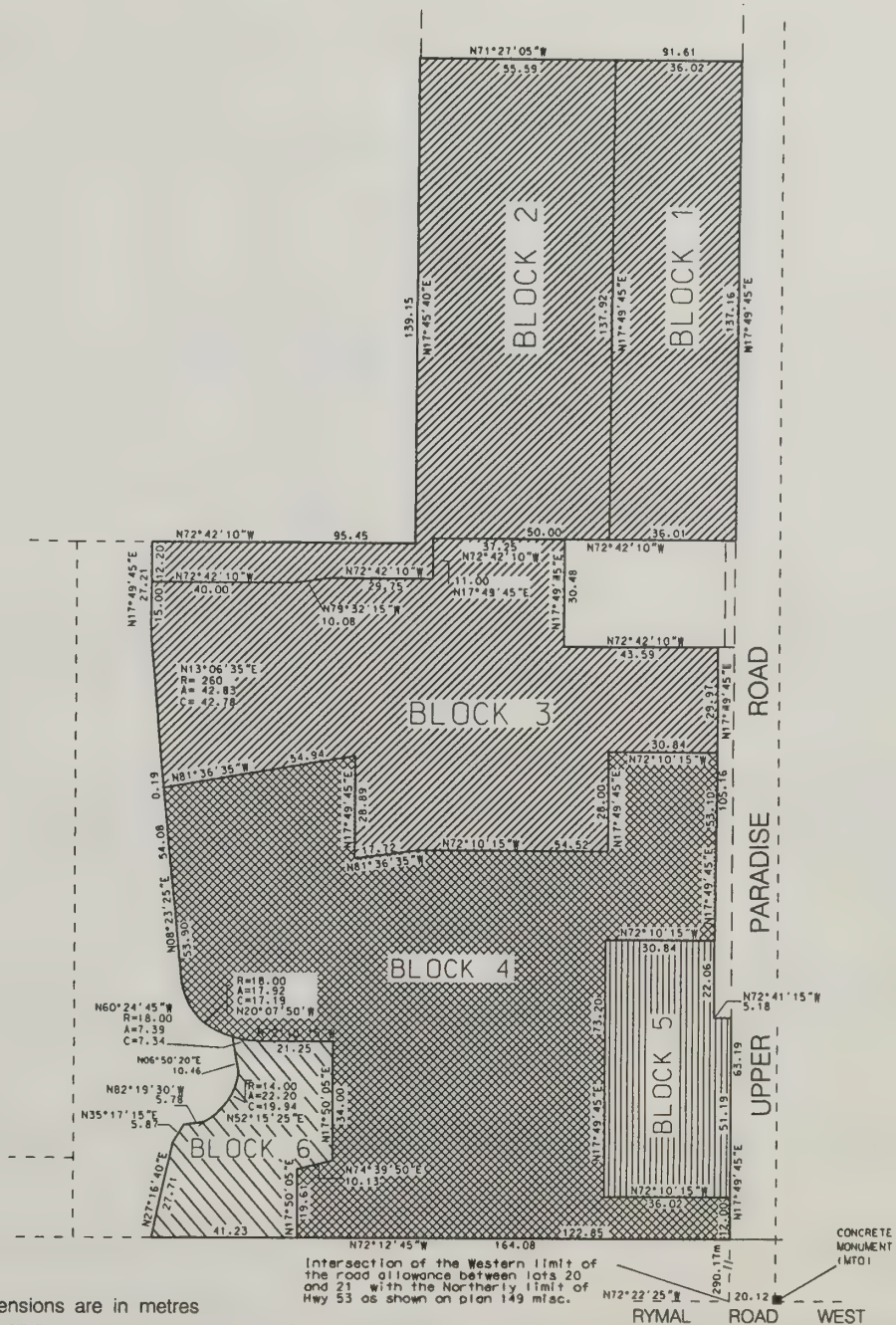
ACTING
CITY CLERK



[Signature]

MAYOR

(1998) 13 R.P.D.C. 3.B., June 30
Visplar Holdings Inc., Owner
Amended ZAC-97-42



This is Schedule "A" to By-Law No. 98-210
Passed the 5th day of August 1998.

S. P. Hollands
Acting Clerk

[Signature]
Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 98-210
to Amend By-Law No. 6593

Planning and Development Department

Legend



From "AA" (Agricultural) District to "D" (Urban Protected Residential-One and Two Family, etc.) District Modified.



From "AA" (Agricultural) District to "D" (Urban Protected Residential-One and Two Family, etc.) District Modified.



From "C" (Urban Protected Residential, etc) District to "D" - "H" (Urban Protected Residential One and Two Family, etc. - Holding) District, Modified.



From "AA" (Agricultural) District to "RT-20" (Townhouse-Maisonette) District

North



Scale
NOT TO SCALE

Date
July 1998

Reference File No.
ZAC-97-42

Drawn By
JSims

The Corporation of the City of Hamilton

BY-LAW NO. 98- 220

To Amend:

Zoning By-law No. 6593

As Amended by Zoning By-laws No. 90-283 and 93-037

Respecting:

**LANDS LOCATED AT MUNICIPAL NOS. 1334, 1340,
1342 AND 1348 UPPER SHERMAN AVENUE**

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 90-283 on the 9th day of October 1990 to change the zoning and to establish special requirements under Section 19B of Zoning By-law No. 6593, for the "RT-20" District, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 93-037 on the 23rd day of February 1993 to change the zoning in respect of the lands located at Municipal Nos. 1340, 1342 and 1348 Upper Sherman Avenue, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

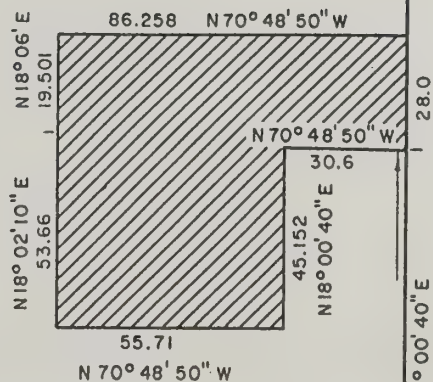
AND WHEREAS the Ontario Municipal Board by its Order (Case No. PL910623), dated the 15th day of April 1992, directed that By-law No. 90-283 be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" to By-law No. 90-283 is hereby revoked and Schedule "A" annexed hereto and forming part of this by-law is substituted therefor.
2. In all other respects, By-law No. 90-283 is hereby confirmed, unchanged.
3. By-law No. 6593 is amended by adding this by-law to Section 19B as S-1188a.
4. Sheet No. E-27C of the District Maps is amended by marking the land referred to in Section 1 of By-law No. 90-283, S-1188a.

NOTE; BY-LAW NO. 90-283, ENACTED BY CITY COUNCIL ON THE 9TH DAY OF OCTOBER 1990, WAS SUBSEQUENTLY AMENDED BY ONTARIO MUNICIPAL BOARD ORDER DATED THE 15TH DAY OF APRIL 1992, (O.M.B. FILE NO. PL910623)



UPPER SHERMAN AVENUE

STONE CHURCH ROAD EAST

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-
Passed the day of, 1998.

.....
Clerk

.....
Mayor

City of Hamilton Schedule A

Map Forming Part of
By-Law No. 90 - 283

to Amend By-Law No. 6593

Regional Municipality of Hamilton-Wentworth
Planning and Development Department

Legend

Change in zoning from:



"AA" (Agricultural) District to "RT-20"
(Townhouse - Maisonette) District,
modified.

North



Scale
NOT TO SCALE

Date
JANUARY 1993

Reference File No.
ZA 92 - 47

Drawn By
Z.K.

The Corporation of the City of Hamilton

BY-LAW NO. 98- 227

To Amend:

Zoning By-law No. 6593

As Amended by Zoning By-law No. 86-203

Respecting:

LANDS LOCATED EAST OF GREENHILL AVENUE, WEST OF WEBSTER ROAD AND NORTH OF THE EXISTING RAILWAY LINE IN THE NASH ORCHARDS HEIGHTS SOUTH SUBDIVISION

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 86-203 on the 25th day of June 1986 to change the zoning in respect of lands located in the area east of the proposed extension of Greenhill Avenue and south of King Street East, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 2.(6) and Section 9.(3)(ii) of Zoning By-law No. 6593, only a portion of one required side yard having a width of not less than 0.60 metres that abuts the wall of an attached garage shall be permitted, except that:
 - (i) in the case of a corner lot, a side yard having a flankage width of not less than 1.2 metres shall be provided and maintained; and,
 - (ii) where a side yard abuts any other residential district, a side yard of 1.2 metres shall be provided and maintained.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1410.

4. Sheet No. E-107 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1410.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 8th day of September A.D. 1998

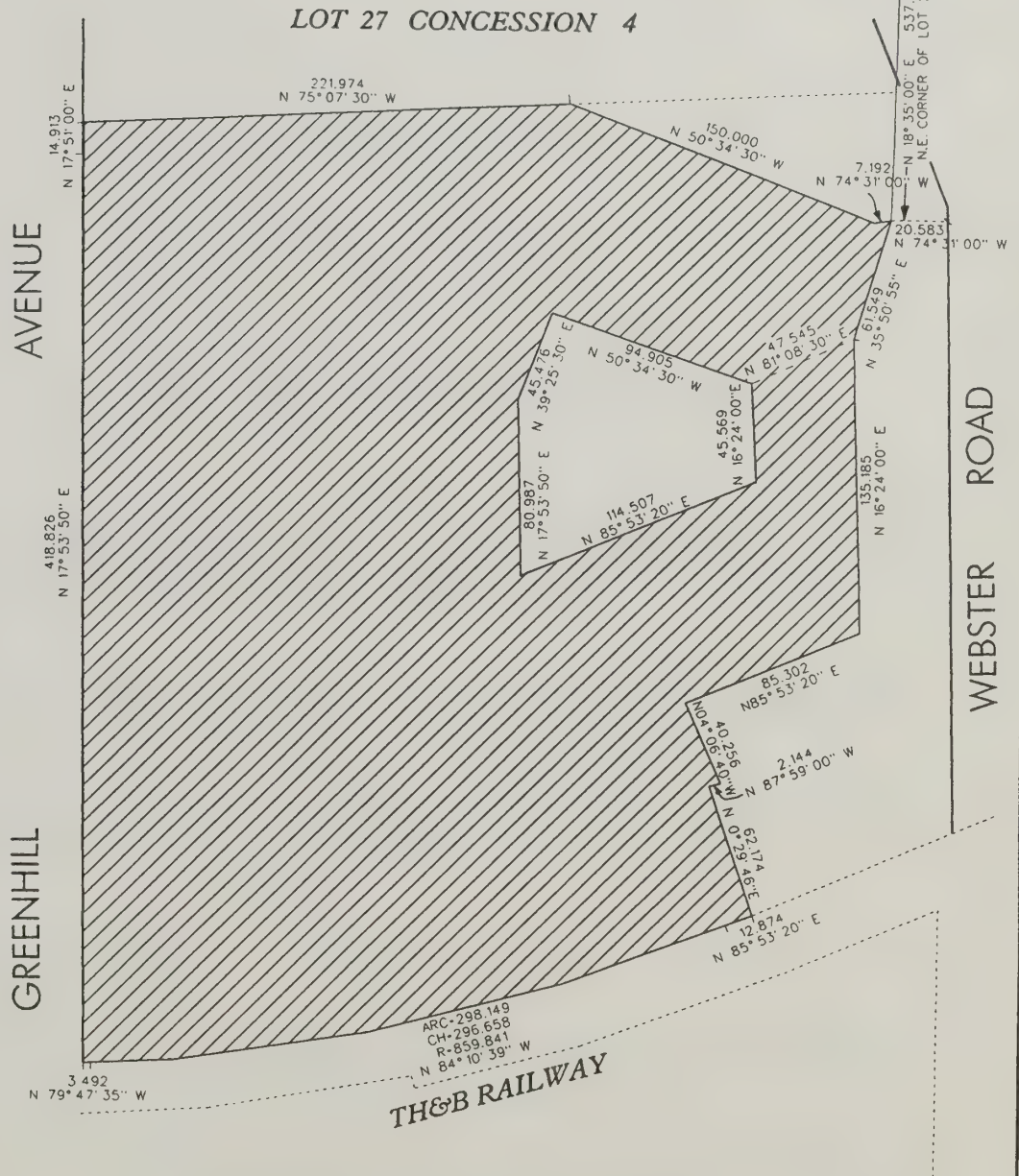


CITY CLERK



MAYOR

(1998) 14 R.P.D.C. 2, August 5
1263674 Ontario Inc. and
1280788 Ontario Inc. (M. Sharma), Owner
Amended ZAR-98-21



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-227
 Passed the 8th day of September, 1998.

[Signature]
 Clerk

[Signature]
 Mayor

City of Hamilton

Schedule A

Map Forming Part of
 By-Law No. 98-227..
 to Amend By-Law No. 6593

Planning and Development Department

Legend

 Modification to the established
 "C" (Urban Protected Residential, etc.)
 District.

North



Scale
 Not to Scale

Date
 Aug 1998

Reference File No.
 ZA-98-21

Drawn By
 R.L.

The Corporation of the City of Hamilton

BY-LAW NO. 98- 228

To Amend:

Zoning By-law No. 6593

Respecting:

**LAND LOCATED AT THE REAR OF
MUNICIPAL NOS. 1289-1317 UPPER JAMES STREET**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-9C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Dwelling) District, the lands comprised in Blocks "1" and "4"; and,
- (b) by changing from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Dwelling) District, modified, the lands comprised in Blocks "2" and "3",

the extent and boundaries of each of which Blocks "1", "2", "3" and "4" are shown on a plan hereto annexed as Schedule "A".

2. The "R-4" (Small Lot Single Family Dwelling) District provisions, as contained in Section 9A of Zoning By-law No. 6593, applicable to the lands comprised in Block "2" referred to in section 1.(b), are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 9A.(2)(b)1.(iv) of Zoning By-law No. 6593, a rear yard having a depth of not less than 6.0 metres shall be provided and maintained; and,
- (b) notwithstanding Section 9A.(2)(c) of Zoning By-law No. 6593, a minimum lot width of 10.5 metres and a minimum lot area of 306 square metres shall be provided and maintained.

3. The "R-4" (Small Lot Single Family Dwelling) District provisions, as contained in Section 9A of Zoning By-law No. 6593, applicable to the lands comprised in Block "3" referred to in section 1.(b), are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 9A.(2)(b)1.(iv) of Zoning By-law No. 6593, a rear yard having a depth of not less than 6.0 metres shall be provided and maintained; and,
- (b) notwithstanding Section 9A.(2)(c) of Zoning By-law No. 6593, a minimum lot width of 11.0 metres and a minimum lot area of 313 square metres shall be provided and maintained.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "R-4" District provisions, subject to the special requirements referred to in sections 2 and 3.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1411.

6. Sheet No. E-9C of the District Maps is amended by marking the lands referred to in section 1.(b) of this by-law, S-1411.

7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

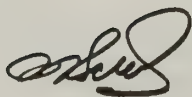
PASSED this

8th

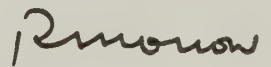
day of

September

A.D. 1998

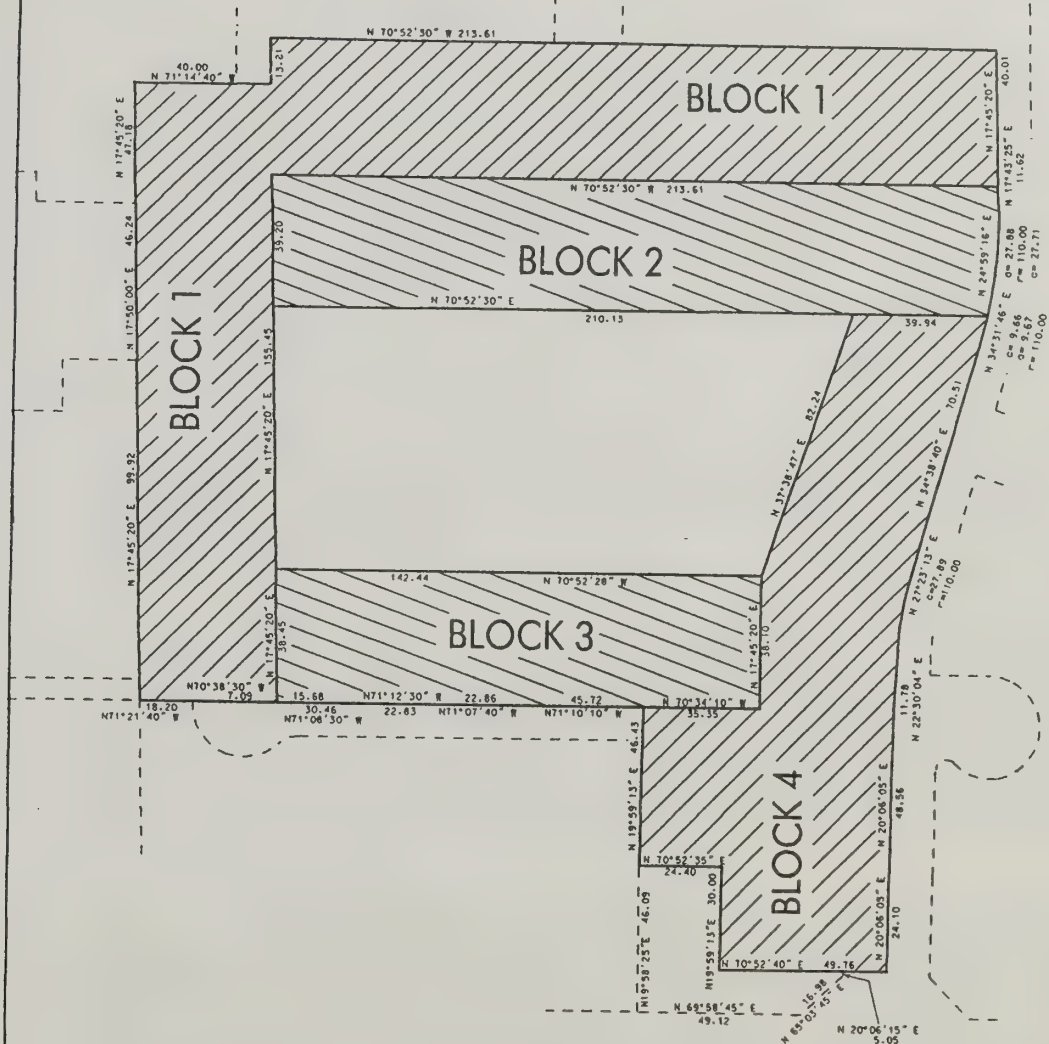


CITY CLERK

MAYOR

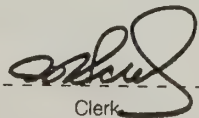
CHIPMAN AVE.

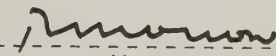


STONE CHURCH ROAD EAST

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-228
Passed the 8th day of September, 1998.


Clerk


Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 98-228
to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from

BLOCK 1
and 4



"C" (Urban Protected Residential, etc.)
District to "R-4" (Small Lot Single
Family Dwelling) District.

BLOCK 2
and 3.



"C" (Urban Protected Residential, etc.)
District to "R-4" (Small Lot Single
Family Dwelling) District, modified.

North



Scale
NOT TO SCALE

Date
September, 1998

Reference File No.

ZAC-98-20

Drawn By

J.Sims

The Corporation of the City of Hamilton

BY-LAW NO. 98- 242

To Amend:

Zoning By-law No. 6593
and to Repeal Zoning By-law No. 70-42

Respecting:

LAND LOCATED AT MUNICIPAL NO. 649 UPPER JAMES STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 70-42 on the 10th day of February 1970 to change the zoning and establish a special requirement under Section 19B of Zoning By-law No. 6593, for the "H" District, in respect of the land located on the north side of Fennell Avenue in the area east of Upper James Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 14th day of April 1970, (File No. R 2090-70);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 1 of the 14th Report of the Planning and Development Committee at its meeting held on the 5th day of August 1998, recommended that Zoning By-law No. 6593 be amended to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law, and that By-law No. 70-42 be repealed in its entirety;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 70-42 is hereby repealed in its entirety.
2. Sheet No. E-7 of the District Maps, appended to and forming part of By-law No. 6593, is amended,
 - (a) by changing from "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "H" - 'H' (Community Shopping and Commercial, etc. - Holding) District, modified, the lands comprised in Block "1"; and,
 - (b) by changing from "H" (Community Shopping and Commercial, etc.) District to "H" - 'H' (Community Shopping and Commercial, etc. - Holding) District, modified, the lands comprised in Block "2",

The Corporation of the City of Hamilton

BY-LAW NO. 98- 242

To Amend:

Zoning By-law No. 6593
and to Repeal Zoning By-law No. 70-42

Respecting:

LAND LOCATED AT MUNICIPAL NO. 649 UPPER JAMES STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 70-42 on the 10th day of February 1970 to change the zoning and establish a special requirement under Section 19B of Zoning By-law No. 6593, for the "H" District, in respect of the land located on the north side of Fennell Avenue in the area east of Upper James Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 14th day of April 1970, (File No. R 2090-70);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 1 of the 14th Report of the Planning and Development Committee at its meeting held on the 5th day of August 1998, recommended that Zoning By-law No. 6593 be amended to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law, and that By-law No. 70-42 be repealed in its entirety;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 70-42 is hereby repealed in its entirety.
2. Sheet No. E-7 of the District Maps, appended to and forming part of By-law No. 6593, is amended,
 - (a) by changing from "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "H" - 'H' (Community Shopping and Commercial, etc. - Holding) District, modified, the lands comprised in Block "1"; and,
 - (b) by changing from "H" (Community Shopping and Commercial, etc.) District to "H" - 'H' (Community Shopping and Commercial, etc. - Holding) District, modified, the lands comprised in Block "2",

the extent and boundaries of each of which Blocks "1" and "2" are shown on a plan hereto annexed as Schedule "A".

3. (a) The 'H' symbol applicable to the land referred to in section 1 shall be removed conditional upon the owner submitting a Record of Site Condition (RSC) to the Region and the Ministry of Environment (MOE), to the satisfaction of the Region, including an acknowledgement of receipt of the RSC from the MOE;

(b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in section 1 may at such time proceed in accordance with the "H" District provisions, subject to the special requirements contained in section 3 of this by-law.

4. The "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593, applicable to the land referred to in section 1, are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 14.(1) of Zoning By-law No. 6593, a restaurant will not be permitted;
- (b) a minimum 1.5 metre wide planting strip shall be provided and maintained along the southerly lot line except for an access driveway;
- (c) a minimum 3.0 metre wide planting strip shall be provided and maintained along the westerly lot line except for an access driveway.

5. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District, subject to the special requirements referred to in section 4.

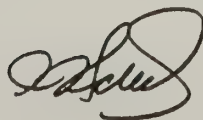
6. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1409.

7. Sheet No. E-7 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1409.

8. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 29th day of September

A.D. 1998

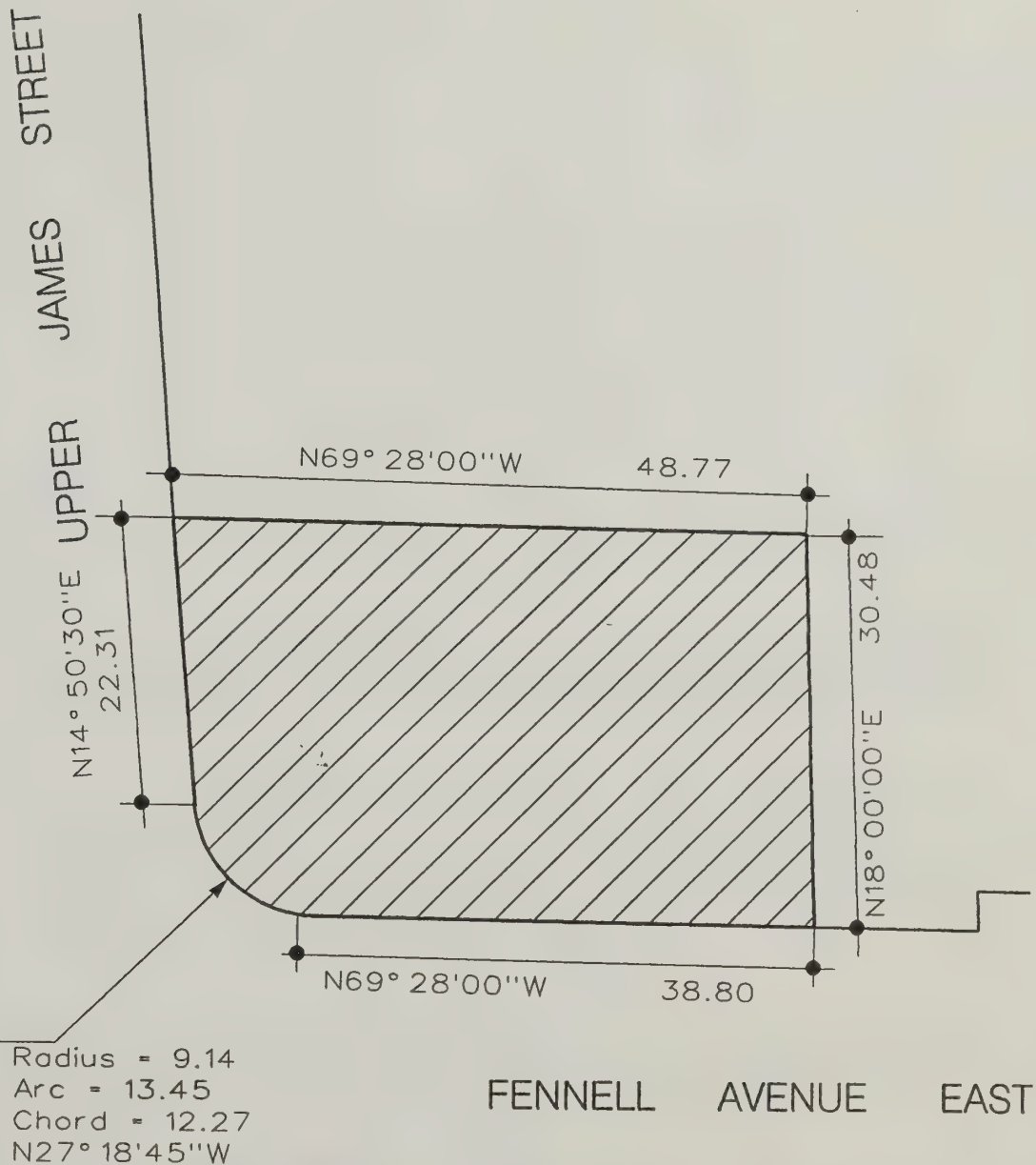


CITY CLERK



MAYOR

(1998) 14 R.P.D.C. 1, August 5
1135193 Ontario Inc.
(Hussein Ghaddar), Prospective Owner
Amended ZAC-98-02



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-242
Passed the 29th day of September 1998.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 98-242

to Amend By-Law No. 6593

Planning and Development Department

Legend



Site of the Application

North	Scale	Reference File No.
	NOT TO SCALE	ZAC-98-02
	Date	Drawn By
	September 1998	B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 98-253

To Amend:

Zoning By-law No. 6593
and To Repeal Zoning By-law No. 97-073

Respecting:

PROHIBITED USE - CHARITY CASINO (CHARITY GAMING CLUB)

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 1 of the 6th Report of the Planning and Development Committee at its meeting held on the 8th day of April 1997, recommended that By-law No. 6593 be amended to provide for a general text amendment to the said by-law to define "charity gaming club", "table games" and "video lottery terminals (VLT)" and to define the Areas within which the said uses may be permitted, as hereinafter provided;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 97-073 on the 29th day of April 1997, to amend Zoning By-law No. 6593, which by-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 4 of the 15th Report of the Planning and Development Committee at its meeting held on the 29th day of September 1998, recommended that Zoning By-law No. 6593, as amended by By-law No. 97-073, be amended as hereinafter provided, and that By-law No. 97-073 be repealed in its entirety;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 97-073, passed on the 29th day of April 1997, is hereby repealed in its entirety.

2. Section 4 - Prohibited Uses of Zoning By-law No. 6593 is amended by adding a new clause as follows:

"(7) The use of a Charity Casino (Charity Gaming Club) which means any premises or parts thereof, containing table games and/or video lottery terminal and/or slot machines or any other such game or device approved by the Alcohol and Gaming Commission of Ontario is hereby prohibited."

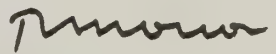
3. In all other respects, By-law No. 6593, as amended, is hereby confirmed, unchanged.

4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 13th day of October A.D. 1998



CITY CLERK



MAYOR

The Corporation of the City of Hamilton

BY-LAW NO. 98- 254

To Amend Zoning By-law No. 6593

And To Repeal Zoning By-law No. 98-228

Respecting:

**LAND LOCATED AT THE REAR OF
MUNICIPAL NOS. 1289-1317 UPPER JAMES STREET**

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July, 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 98-228 on the 8th day of September, 1998, to establish special requirements under Section 9A of Zoning By-law No. 6593, for the "R-4" District, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS Notice of the said By-law was inadvertently not circulated prior to the enactment of By-law No. 98-228 as required by the Planning Act;

AND WHEREAS it is therefore expedient to repeal the said By-law No. 98-228.

AND WHEREAS Notice of the proposed rezoning set out in the herein by-law, has been circulated as required by the Planning Act;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 98-228, passed on the 8th day of September, 1998, is hereby repealed in its entirety.
2. Sheet No. E-9C of the District Maps, appended to and forming part of By-law No. 6593, is amended,
 - (a) by changing from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Dwelling) District, the lands comprised in Blocks "1" and "4"; and,
 - (b) by changing from "C" (Urban Protected Residential, etc.) District to "R-4" (Small Lot Single Family Dwelling) District, modified, the lands comprised in Blocks "2" and "3",

the extent and boundaries of each of which Blocks "1", "2", "3" and "4" are shown on a plan hereto annexed as Schedule "A".

3. The "R-4" (Small Lot Single Family Dwelling) District provisions, as contained in Section 9A of Zoning By-law No. 6593, applicable to the lands comprised in Block "2" referred to in section 1.(b), are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 9A.(2)(b)1.(iv) of Zoning By-law No. 6593, a rear yard having a depth of not less than 6.0 metres shall be provided and maintained; and,
- (b) notwithstanding Section 9A.(2)(c) of Zoning By-law No. 6593, a minimum lot width of 10.5 metres and a minimum lot area of 306 square metres shall be provided and maintained.

4. The "R-4" (Small Lot Single Family Dwelling) District provisions, as contained in Section 9A of Zoning By-law No. 6593, applicable to the lands comprised in Block "3" referred to in section 2.(b), are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 9A.(2)(b)1.(iv) of Zoning By-law No. 6593, a rear yard having a depth of not less than 6.0 metres shall be provided and maintained; and,
- (b) notwithstanding Section 9A.(2)(c) of Zoning By-law No. 6593, a minimum lot width of 11.0 metres and a minimum lot area of 313 square metres shall be provided and maintained.

5. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "R-4" District provisions, subject to the special requirements referred to in sections 3 and 4.

6. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1411.

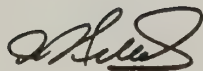
7. Sheet No. E-9C of the District Maps is amended by marking the lands referred to in section 2.(b) of this by-law, S-1411.

8. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

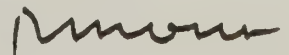
PASSED this 13th

day of October

A.D. 1998

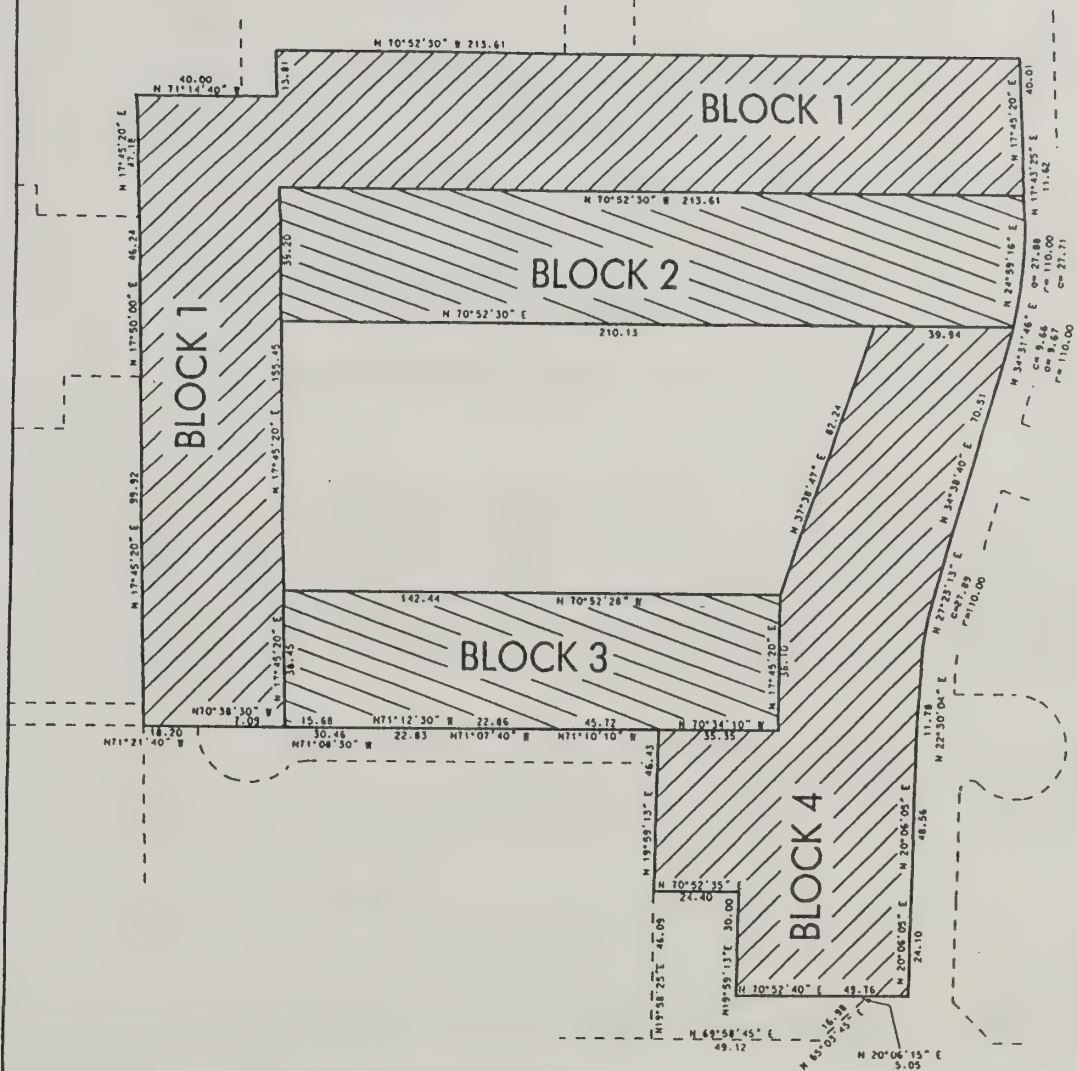


CITY CLERK



MAYOR

CHIPMAN AVE.



STONE CHURCH ROAD EAST

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-254.....
Passed the13th day of October....., 1998.

[Signature]

Clerk

[Signature]

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 98-254

to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in zoning from

BLOCK 1
and 4



"C" (Urban Protected Residential, etc.)
District to "R-4" (Small Lot Single
Family Dwelling) District.

BLOCK 2
and 3



"C" (Urban Protected Residential, etc.)
District to "R-4" (Small Lot Single
Family Dwelling) District, modified.

North



Scale
NOT TO SCALE

Date
September, 1998

Reference File No.
ZAC-98-20

Drawn By
J.Sims

The Corporation of the City of Hamilton

BY-LAW NO. 98- 255

To Amend:

Zoning By-law No. 6593
As Amended By Zoning By-law No. 96-139
Respecting:

LANDS LOCATED AT MUNICIPAL NO. 18 HOMEWOOD AVENUE

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 96-139 on the 27th day of August, 1996 to rezone the the subject lands from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "D" - 'H'(Urban Protected Residential - One and Two Family Dwellings, etc - Holding) District modified, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", which By-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS Section 3 of By-law No. 96-139 provides that upon the applicant/owner applying for and receiving approval for a Site Plan Control Application for the required parking layout, grading, and landscaping of the subject lands, the 'H' symbol shall be removed by amendment to By-law No. 96-139;

AND WHEREAS approval of a Site Plan Control Application for the required parking layout, grading, and landscaping has been completed.

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982;

AND WHEREAS City Council in adopting Item 55 of the Committee of the Whole at its meeting held on the 8th day of September, 1998 directed that By-law No. 96-139 be amended to remove the 'H' (Holding) symbol in respect of the subject lands;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The 'H' (Holding) symbol affixed by By-law No. 96-139, passed on the 27th day of August, 1996, to the "D" - 'H'(Urban Protected Residential - One and Two Family Dwellings, etc - Holding) District, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" to By-law No. 96-139 and forming part thereof is hereby removed, and the development of the lands may proceed in accordance with the "D" (Urban Protected Residential - One and Two Family Dwellings, etc - Holding) District provisions of Zoning By-law No. 6593, subject to the special requirements referred to in section 2. of By-law No. 96-139.

2. Sheet No. W-14 of the District Maps, appended to and forming part of Zoning By-law No. 6593, as amended by section 1. of By-law No. 96-139, are further amended by changing from "D" - 'H' (Urban Protected Residential - One and Two Family Dwellings, etc.) District modified to "D" (Urban Protected Residential - One and Two Family Dwellings, etc) District modified, the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this By-law.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in section 2. of By-law No. 96-139.

4. By-law No. 6593, as amended by By-law No. 96-1391, is further amended by adding this by-law to section 19B as Schedule S-1362a.

5. Sheet No. W-14 of the District Maps, as amended by By-law No. 96-139, are amended by marking the lands referred to in section 1. of this by-law, S-1362a.

6. In all other respects, By-law No. 96-139 is hereby confirmed, unchanged.

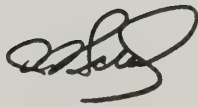
PASSED this

13th

day of

October

A.D. 1998.

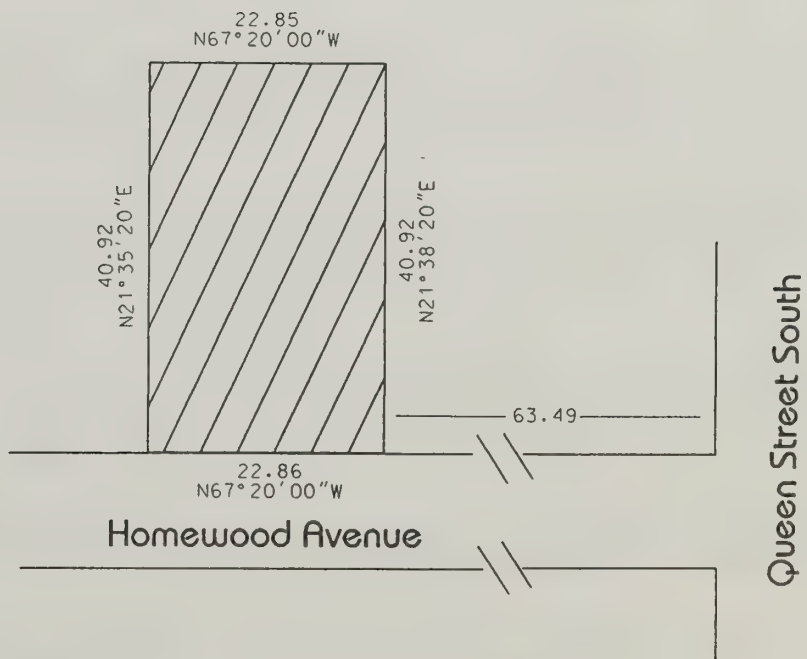


CITY CLERK



MAYOR

(1998) 55 C.O.W., September 8
George Lima, owner
ZAR-98-31



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-255
Passed the 13th day of October, 1998.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 98-255
to Amend By-Law No. 6593

Planning and Development Department

Legend



From "D" - "H" (Urban Protected Residential - one and two family dwellings, etc - Holding District to "D" (Urban Protected Residential - one and two family dwelling, etc) District



Scale
NOT TO SCALE

Date
August, 1998

Reference File No.
ZAR-98-31

Drawn By
J. Sims

The Corporation of the City of Hamilton

BY-LAW NO. 98-256

To Amend:

Zoning By-law No. 6593
as Amended by By-law No. 98-242

Respecting:

LAND LOCATED AT MUNICIPAL NO. 649 UPPER JAMES STREET

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 98-242 on the 29th day of September 1998 to amend Zoning By-law No. 6593, as provided for therein, in respect of the above-captioned lands;

AND WHEREAS an incorrect Schedule was inadvertently attached as Schedule "A" to By-law No. 98-242, therefore it is expedient to replace it with the Schedule "A" annexed hereto and forming part of this by-law.

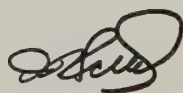
AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

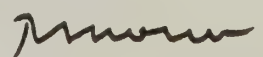
1. Schedule "A" to By-law No. 98-242 is hereby deleted and Schedule "A" annexed hereto and forming part of this by-law is substituted therefor.
2. In all other respects, By-law No. 98-242 is hereby confirmed, unchanged.
3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of By-law No. 98-242, as amended herein, in accordance with the Planning Act.

PASSED this 13th day of October

A.D. 1998.



CITY CLERK



MAYOR

JAMES STREET

UPPER

N14° 50' 30" E
22.31

N69° 28' 00" W

48.77

18.6

BLOCK 2

BLOCK 1

30.48

N18° 00' 00" E

N69° 28' 00" W

38.80

FENNELL AVENUE EAST

Radius = 9.14
Arc = 13.45
Chord = 12.27
N27° 18' 45" W

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-256
Passed the 13th day of October, 1998.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 98-256

to Amend By-Law No. 6593

Planning and Development Department

Change in Zoning from:		
BLOCK 1	"E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "H"- "H" (Community Shopping and Commercial, etc.- Holding) District.	
BLOCK 2	"H" (Community Shopping and Commercial, etc.) District to "H" - "H" (Community Shopping and Commercial, etc. - Holding) District	
North	Scale NOT TO SCALE	Reference File No. ZAC-98-02
	Date October, 1998	Drawn By B. B./J. Sims

The Corporation of the City of Hamilton

BY-LAW NO. 98- 258

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 27 DUNDURN STREET NORTH

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 153, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-22 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "D" - 'H' (Urban Protected Residential - One and Two Family Dwellings, etc. - Holding) District, the land,

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. (a) The 'H' symbol applicable to the land referred to in section 1 shall be removed conditional upon the following:

- (i) The applicant submitting a signed Record of Site Condition (RSC) to the Region and Ministry of Environment (MOE). This RSC must be to the satisfaction of the Region, including an acknowledgement of receipt of the RSC by the Ministry of Environment; and,
- (ii) The applicant/owner applying for and receiving approval of a Site Plan Control Application from the City of Hamilton.

(b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in section 1 may at such time proceed in accordance with the "D" District provisions, subject to the special requirements contained in section 3 of this by-law.

3. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District provisions, as contained in Section 10 of Zoning By-law No. 6593, applicable to the land referred to in section 1, are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 10.(1) of Zoning By-law No. 6593, the following uses shall be permitted only within the building, existing on the day of passing of this By-law:
 - (i) a sixty (60) seat live theatre; and,
 - (ii) a twenty-four (24) seat "unlicensed" restaurant; and,
 - (iii) one (1) dwelling unit; and,
 - (iv) for each establishment a "business identification sign" that is a wall sign and/or window sign of an area of not more than 2.5 square metres (26.91 square feet), no sign shall exceed 2.0 metres (6.0 feet) in height and every sign shall be so designed, installed and maintained as to ensure that the illumination is deflected away from all lands designated for residential uses; and,
- (b) notwithstanding Section 18A of Zoning By-law No. 6593, a minimum of seven (7) parking spaces shall be provided and maintained; and,
- (c) notwithstanding Section 18A.(11) and (12) of Zoning By-law No. 6593, a planting strip not less than 1.5 metres wide shall be provided and maintained along the entire westerly rear lot line and a visual barrier not less than 1.8 metres and not greater than 2.0 metres in height shall be provided and maintained along the entire westerly rear lot line, except for the first 5.0 metres from Hunt Street; and,
- (d) notwithstanding Section 18A.(11) and (12) of Zoning By-law No. 6593, a planting strip not less than 1.0 metres wide shall be provided and maintained along the entire easterly side lot line and a visual barrier not less than 1.8 metres and not greater than 2.0 metres in height shall be provided and maintained along the easterly side lot line, except for the first 5.0 metres from Hunt Street; and,
- (e) a landscape area not less than 6.0 metres in depth shall be provided and maintained along Hunt Street, except for any area used for an access driveway; and,
- (f) every lighting facility shall be so designed, installed and maintained as to ensure that the light is deflected away from all lands designated for residential uses, and any lighting of signs shall similarly be so deflected.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" District provisions, subject to the special requirements referred to in section 3.

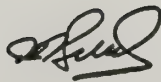
5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1412.

6. Sheet No. W-22 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1412.

7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 13th day of October

A.D. 1998

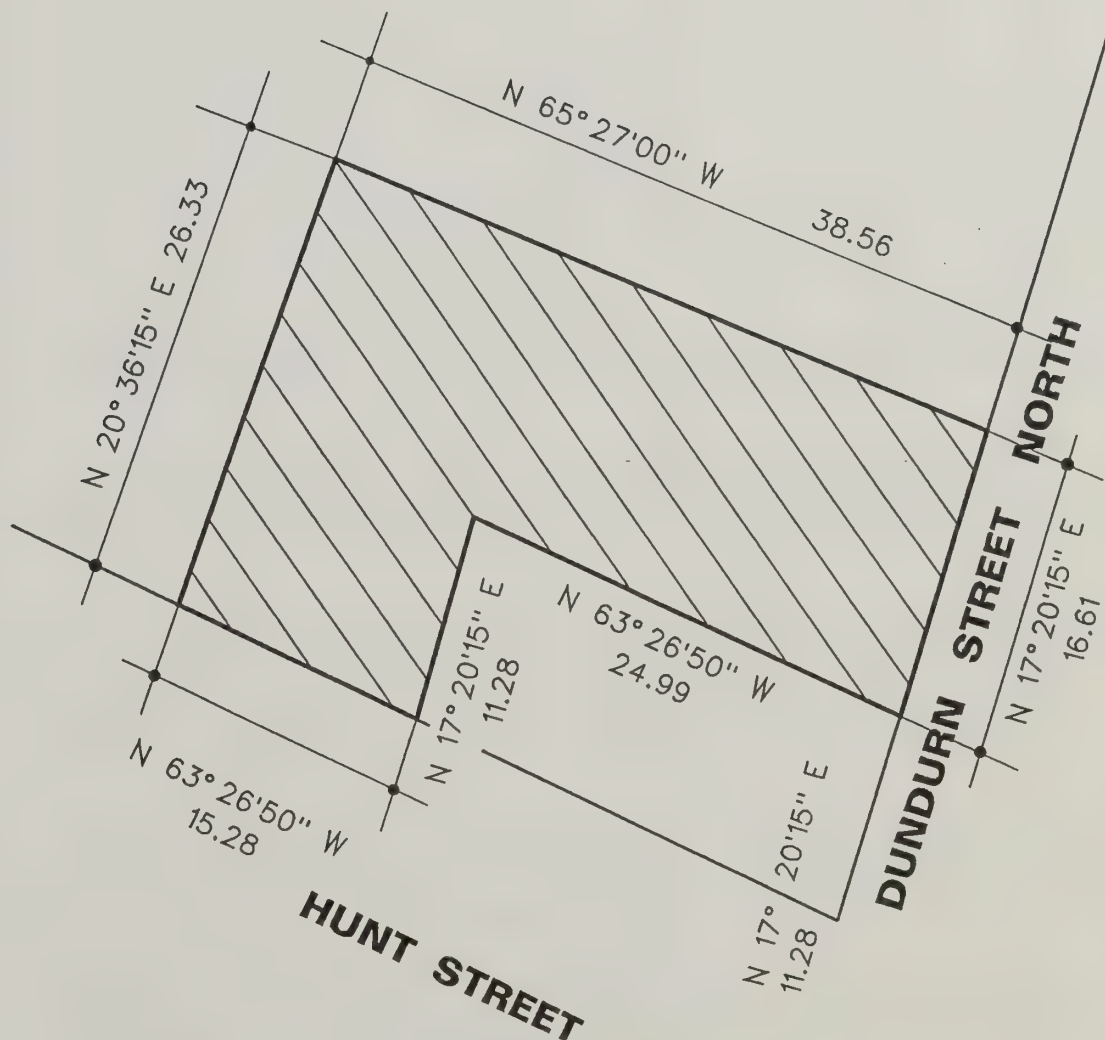


CITY CLERK



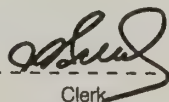
MAYOR

(1998) 15 R.P.D.C. 1, September 29
Hugh Macleod, Owner
Amended ZAC-98-18



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-258.....
Passed the 13th day of October, 1998.


Clerk


Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 98-258
to Amend By-Law No. 6593

Planning and Development Department

Legend

Modification in Zoning:



"D" (Urban Protected Residential-
One and Two Family Dwellings, etc.)
District modified

North



Scale

NOT TO SCALE

Date

September 1998

Reference File No.

ZAC-98-18

Drawn By

B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 98-261

To Amend:

Zoning By-law No. 6593
As Amended by Zoning By-laws No. 95-111 and 97-153

Respecting:

LANDS LOCATED AT MUNICIPAL NO. 852 UPPER WENTWORTH STREET

WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 95-111 on the 9th day of May 1995 to change the zoning and to establish a special requirements under Section 19B of Zoning By-law No. 6593, for the "C" District, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law came into force on the day it was passed in accordance with the Planning Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 97-153 on the 8th day of July 1997 to remove the holding symbol imposed on the "C" District zoning by By-law No. 95-111, in respect of the above-captioned land, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A";

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 8 of the 11th Report of the Planning and Development Committee at its meeting held on the 26th day of May 1998, recommended that Zoning By-law No. 6593, as amended by By-laws No. 95-111 and 97-153, be further amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 150, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. (1) Paragraphs (i) and (ii) of Section 2.(a) of By-law No. 95-111 are hereby repealed and the following substituted therefor:

"(i) general offices and a kitchen cabinet showroom on the first and second floor and having a maximum total gross floor area of not more than 288 m² (3100 square feet); and,".

(2) Paragraph (iii) of Section 2.(a) of By-law No. 95-111 is hereby renumbered as paragraph (ii).

(3) Section 2. of By-law No. 95-111 is hereby amended by adding the following clause thereto:

"(d) access to the subject lands shall only be provided from Upper Wentworth Street."

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 2 of By-law No. 95-111, as amended by By-law No. 97-153, and section 1 of this by-law.

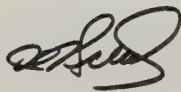
3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1336b.

4. Sheet No. E-18 of the District Maps is amended by marking the lands referred to in section 2 of By-law No. 95-111, as amended by By-law No. 97-153, and further amended by section 1 of this by-law, S-1336b.

5. In all other respects, By-law No. 95-111, as amended by By-law No. 97-153, is hereby confirmed, unchanged.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

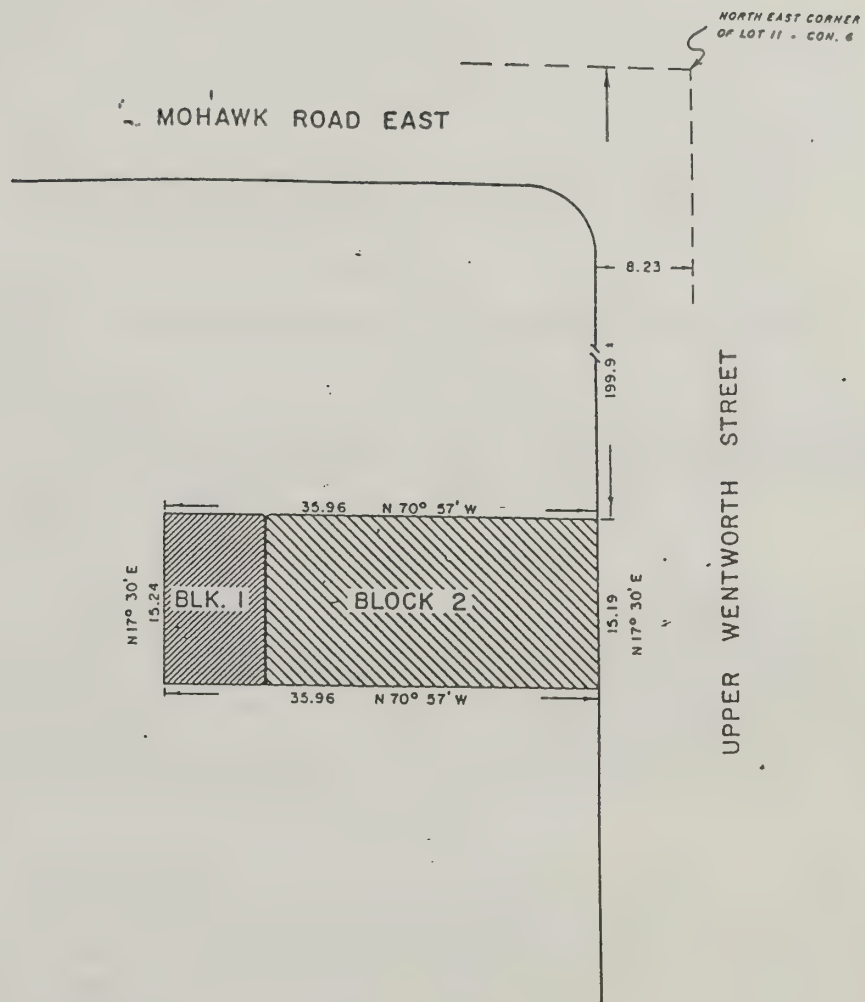
PASSED this 13th day of October A.D. 1998



CITY CLERK




MAYOR



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-261
Passed the 13th day of October, 1998.

Clerk

Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 98-261

to Amend By-Law No. 6593

Planning and Development Department

Change in Zoning from:

BLOCK 1



BLOCK 2



Further modification to the "C"
(Urban Protected Residential, etc) District

North



Scale
NOT TO SCALE

Date
October, 1998

Reference File No.
ZAC-97-33

Drawn By
J.Sims

The Corporation of the City of Hamilton

BY-LAW NO. 98- 263

To Amend:

Zoning By-law No. 6593
and to Repeal Zoning By-law Nos. 70-42, 98-242 and 98-256

Respecting:

LAND LOCATED AT MUNICIPAL NO. 649 UPPER JAMES STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593 passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 70-42 on the 10th day of February 1970 to change the zoning and establish a special requirement under Section 19B of Zoning By-law No. 6593, for the "H" District, in respect of the land located on the north side of Fennell Avenue in the area east of Upper James Street, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A", which by-law was approved by the Ontario Municipal Board by Order dated the 14th day of April 1970, (File No. R 2090-70);

AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section 1 of the 14th Report of the Planning and Development Committee at its meeting held on the 5th day of August 1998, authorized that Zoning By-law No. 6593 be amended to change the zoning and establish special requirements under Section 19B of Zoning By-law No. 6593 in respect of the above-captioned land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this by-law, and that By-law No. 70-42 be repealed in its entirety;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 98-242 on the 29th day of September 1998 to amend Zoning By-law No. 6593, as provided for therein, in respect of the above-captioned lands;

AND WHEREAS the said By-law No. 98-242 was amended by Council by By-law No. 98-256 enacted on October 13, 1998;

AND WHEREAS there was insufficient time, pursuant to the Planning Act, to circulate notice of By-law No. 98-242 as amended by By-law No. 98-256;

AND WHEREAS it is expedient therefore to repeal By-law Nos. 98-242 and 98-256 in their entirety and to amend Zoning By-law No. 6593 as hereinafter set out;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law Nos. 70-42, 98-242 and 98-256 are hereby repealed in their entirety and replaced by this By-law.

2. Sheet No. E-7 of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "E" (Multiple Dwellings, Lodges, Clubs, etc.) District to "H" - 'H' (Community Shopping and Commercial, etc. - Holding) District, modified, the lands comprised in Block "1"; and,
- (b) by changing from "H" (Community Shopping and Commercial, etc.) District to "H" - 'H' (Community Shopping and Commercial, etc. - Holding) District, modified, the lands comprised in Block "2",

the extent and boundaries of each of which Blocks "1" and "2" are shown on a plan hereto annexed as Schedule "A".

3. (a) The 'H' symbol applicable to the land referred to in section 1 shall be removed conditional upon the owner submitting a Record of Site Condition (RSC) to the Region and the Ministry of Environment (MOE), to the satisfaction of the Region, including an acknowledgement of receipt of the RSC from the MOE;

(b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in section 1 may at such time proceed in accordance with the "H" District provisions, subject to the special requirements contained in section 3 of this by-law.

4. The "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593, applicable to the land referred to in section 1, are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 14.(1) of Zoning By-law No. 6593, a restaurant will not be permitted;
- (b) a minimum 1.5 metre wide planting strip shall be provided and maintained along the southerly lot line except for an access driveway;
- (c) a minimum 3.0 metre wide planting strip shall be provided and maintained along the westerly lot line except for an access driveway.

5. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" District, subject to the special requirements referred to in section 4.

6. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1409.

7. Sheet No. E-7 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1409.

8. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 20th day of October

A.D. 1998

A. J. Holburnell

Acting CITY CLERK



Timor

MAYOR

(1998) 14 R.P.D.C. 1, August 5
1135193 Ontario Inc.
(Hussein Ghaddar), Prospective Owner
Amended ZAC-98-02

JAMES STREET

UPPER

N14° 50'30"E
22.31

N69° 28'00"W

48.77

18.6

BLOCK 2

BLOCK 1

30.48

N18° 00'00"E

N69° 28'00"W

38.80

FENNELL AVENUE EAST

Radius = 9.14
Arc = 13.45
Chord = 12.27
N27° 18'45"W

NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-263
Passed the 20th day of October, 1998.

[Signature]
Acting Clerk

[Signature]
Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 98-263
to Amend By-Law No. 6593

Planning and Development Department

Change in Zoning from:

BLOCK 1



"E" (Multiple Dwellings, Lodges, Clubs, etc.)
District to "H"-H' (Community Shopping and
Commercial, etc.- Holding) District.

BLOCK 2



"H" (Community Shopping and Commercial, etc.)
District to "H" - 'H' (Community Shopping
and Commercial, etc. - Holding) District

North



Scale
NOT TO SCALE

Date
October, 1998

Reference File No.
ZAC-98-02

Drawn By
B. B./J. Sims

The Corporation of the City of Hamilton

BY-LAW NO. 98- 268

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT MUNICIPAL NOS. 535 and 537 QUEENSTON ROAD

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 154, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "B-1" (Suburban Agricultural and Residential, etc.) District provisions, as contained in Section 8A of Zoning By-law No. 6593, applicable to the lands comprised in Block "1", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 8A(1) of Zoning By-law No. 6593, the following uses shall be permitted:
 - (i) a medical office (chiropractic office) having a maximum gross floor area of 65 square metres shall only be permitted on the ground floor of the existing building; and,
 - (ii) one ground sign that shall not exceed 0.9 metres in vertical dimension or 0.6 square metres in area; and,
 - (iii) no sign shall be illuminated unless the source of light is steady and suitably shielded to contain illumination; and,
- (b) notwithstanding Section 8A.(3)(i) of Zoning Bylaw No. 6593, one ground sign shall be located not less than 3.0m from the front lot line; and,
- (c) Section 18A(14g) of Zoning By-law No. 6593 shall not apply; and,
- (d) Section 18A(26) of Zoning By-law No. 6593 shall not apply; and,

- (e) a landscape planting strip of not less than 3.0 metres in width shall be provided and maintained along the southerly lot line, except any area used for vehicular access, only where an encroachment agreement for landscaping has not been entered into with the Region, for a minimum 3.0 metre wide planting strip within the widened road allowance limits of Queenston Road; and,
- (f) a visual barrier of not less than 1.2 metres in height and not more than 2.0 metres in height shall be provided and maintained along the northerly lot line.

2. The "B-1" (Suburban Agricultural and Residential, etc.) District provisions, as contained in Section 8A of Zoning By-law No. 6593, applicable to the lands comprised in Block "2", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 8A(1) of Zoning By-law No. 6593, the following uses shall be permitted:
 - (i) a medical office (naturopathic office) having a maximum gross floor area of 65 square metres shall only be permitted on the ground floor of the existing building; and,
 - (ii) a ground sign that shall not exceed 0.9 metres in vertical dimension or 0.6 square metres in area; and,
 - (iii) no sign shall be illuminated unless the source of light is steady and suitably shielded to contain illumination; and,
- (b) notwithstanding Section 8A.(3)(i) of Zoning By-law No. 6593, one ground sign shall be located not less than 3.0m from the front lot line; and,
- (c) Section 18A(14g) of Zoning By-law No. 6593 shall not apply; and,
- (d) Section 18A(26) of Zoning By-law No. 6593 shall not apply; and,
- (e) a landscape planting strip of not less than 3.0 metres in width shall be provided and maintained along the southerly lot line, except any area used for vehicular access, only where an encroachment agreement for landscaping has not been entered into with the Region, for a minimum 3.0 metre wide planting strip within the widened road allowance limits of Queenston Road; and,
- (f) a visual barrier of not less than 1.2 metres in height and not more than 2.0 metres in height shall be provided and maintained along the easterly and northerly lot lines.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "B-1" District provisions, subject to the special requirements referred to in sections 1 and 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1413.

5. Sheet No. E-95 of the District Maps is amended by marking the lands referred to in section 1 of this by-law, S-1413.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 27th day of October

A.D. 1998

S. Mollonell

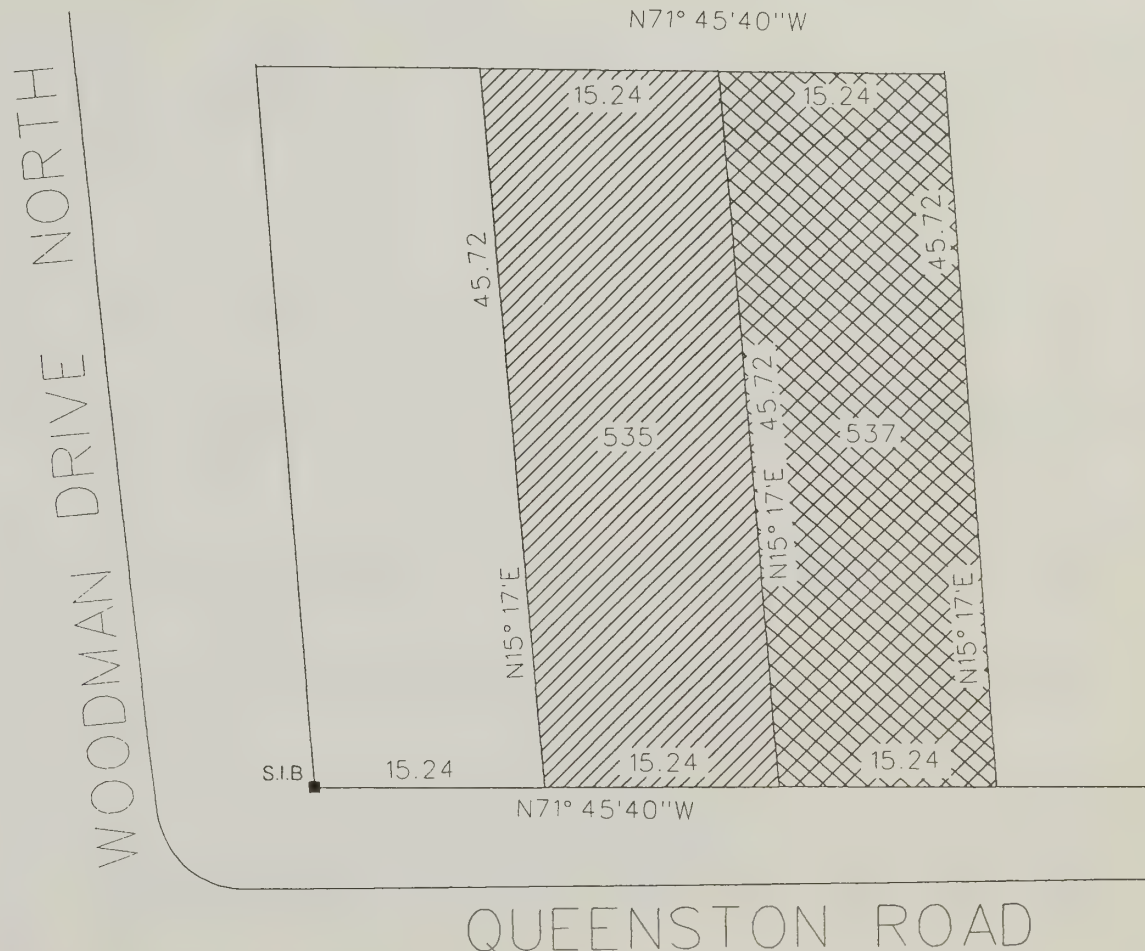
ACTING CITY CLERK



Tom Jackson

ACTING MAYOR

(1998) 15 R.P.D.C. 2, September 29
Marco Ramelli and Mukesh Patel, Owners
Amended ZAC-98-27



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-268
Passed the 27th day of October, 1998.

S. J. Hollowell
Acting Clerk

Tom Jackson
Acting Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 98-268

to Amend By-Law No. 6593

Planning and Development Department

Legend

- Block 1
 Modification to established "B-1"
(Suburban Agricultural and Residential etc.) District
- Block 2
 Modification to established "B-1"
(Suburban Agricultural and Residential etc.) District

North 	Scale NOT TO SCALE	Reference File No. ZAC-98-27
	Date October, 1998	Drawn By J. Sims

The Corporation of the City of Hamilton

BY-LAW NO. 98-280

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 330 AND 342 DUNDURN STREET SOUTH

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Section 14 of Zoning By-law No. 6593, applicable to the lands in Block "1", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding Section 14.(1)(i) of Zoning By-law No. 6593, the following uses shall be permitted:
 - (i) a senior citizens "lodging house" for the accommodation of a maximum of ninety (90) persons within three floors of the building; and,
 - (ii) a lodging room having bathroom facilities.

2. The "G-1" (Design Shopping Centre) District provisions, as contained in Section 13A of Zoning By-law No. 6593, applicable to the lands in Block "2", the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirement that,

- (a) notwithstanding Section 13.A(1) of Zoning By-law No. 6593, only parking accessory to the lodging house on Block "1" shall be permitted.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" and "G-1" District provisions, subject to the special requirements referred to in section 1 and 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1415.

5. Sheet No. W-24 of the District Maps is amended by marking the lands referred to in section 1 and 2 of this by-law, S-1415.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 10th day of November

A.D. 1998

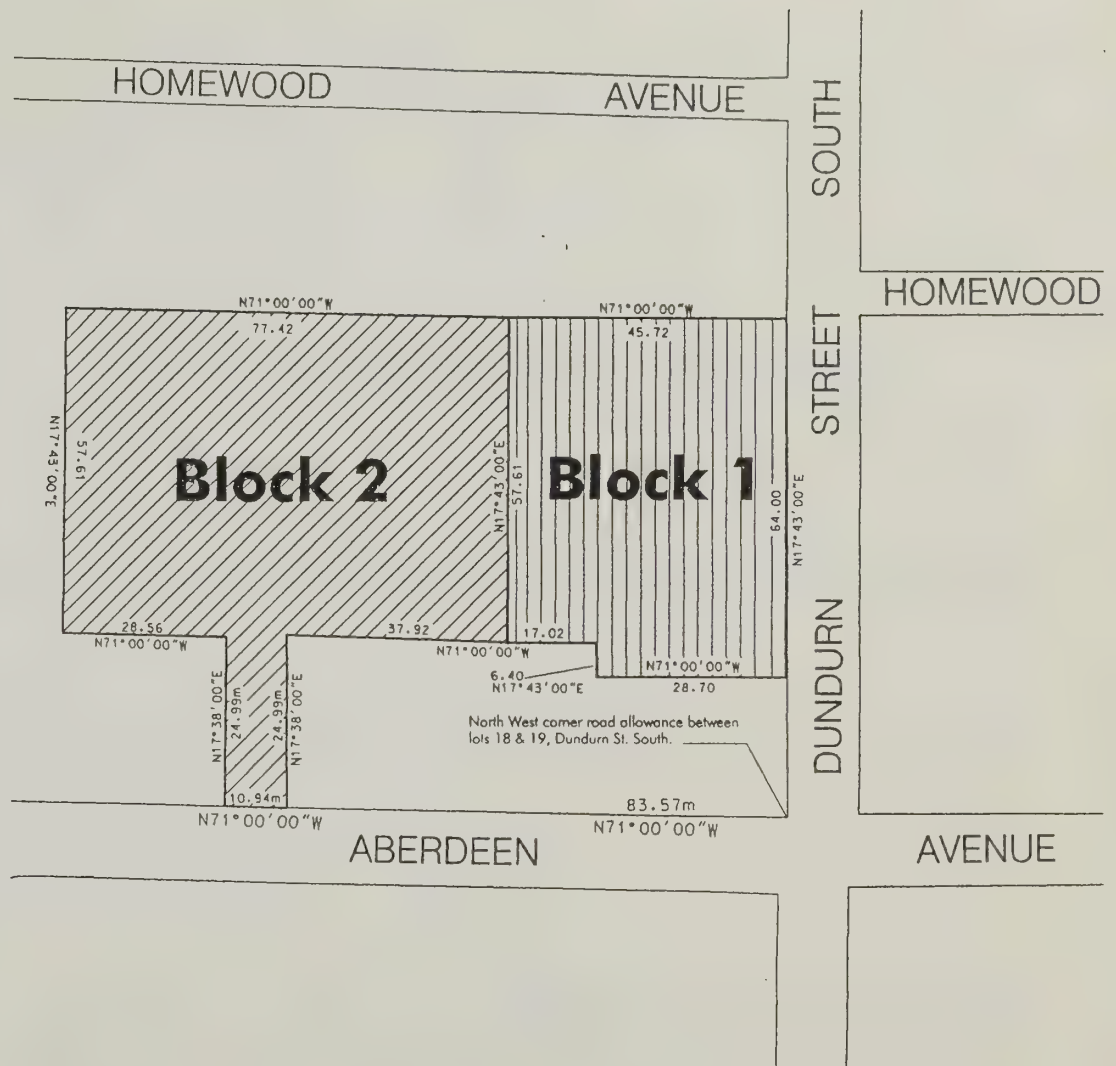


CITY CLERK



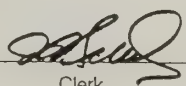
MAYOR

(1998) 18 R.P.D.C. 1, October 21
1242324 Ontario Inc., Dominic Occhionorelli, Owner
ZAR-98-33



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-280
Passed the 10th day of November, 1998.


Clerk


Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 98-280

to Amend By-Law No. 6593

Planning and Development Department

Legend

Block 1



Modification to the "H" (Community Shopping and Commercial, etc.) District

Block 2



Modification to the "G-1" (Designed Shopping Centre) District

North



Scale

NOT TO SCALE

Date

October, 1998

Reference File No.

ZAC-98-33

Drawn By

J.Sims

The Corporation of the City of Hamilton

BY-LAW NO. 98-281

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED ON THE WEST SIDE (BAY SIDE)
OF BEACH BOULEVARD, IN THE BEACH NEIGHBOURHOOD**

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "C" (Urban Protected Residential, etc.) District, the "G" (Neighbourhood Shopping Centre, etc.) District, and the "H" (Community Shopping and Commercial, etc.) District provisions, as contained in Sections 9, 13 and 14, respectively, of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on plans hereto annexed as Schedules "A-1", "A-2" and "A-3" are amended to the extent only of the special requirements that,

- (a) notwithstanding the provisions of the Zoning By-law No. 6593, the minimum ground floor elevation of any building or any building addition shall be 76.0 metres above mean sea level, as defined by the Geodetic Survey Datum, except for any building addition less than 14 square metres in area and accessory building or structure; and,
- (b) no basement or cellar shall be permitted for any building, except for any building addition less than 14 square metres in area and accessory building or structure; and,
- (c) any addition, less than 14 square metres in area, shall have a minimum ground floor elevation at or above the existing ground floor elevation of the building; and,
- (d) prior to the issuance of a building permit for every new building, a Lot Grading Agreement with the City of Hamilton shall be entered into and registered on title to the satisfaction of the Building Commissioner, except for developments that require approval under the Site Plan Control By-law 79-275, as amended.

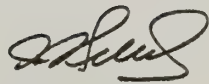
2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C", "G" and "H" Districts provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1414.

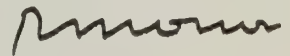
4. Sheets No. E-80b, E-80c, E-80d, E-80e and E-80f of the District Maps are amended by marking the lands referred to in section 1 of this by-law, S-1414.

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 10th day of November A.D. 1998

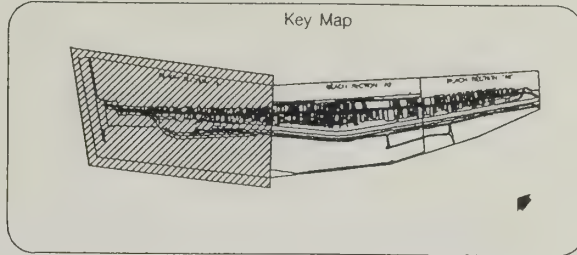


CITY CLERK

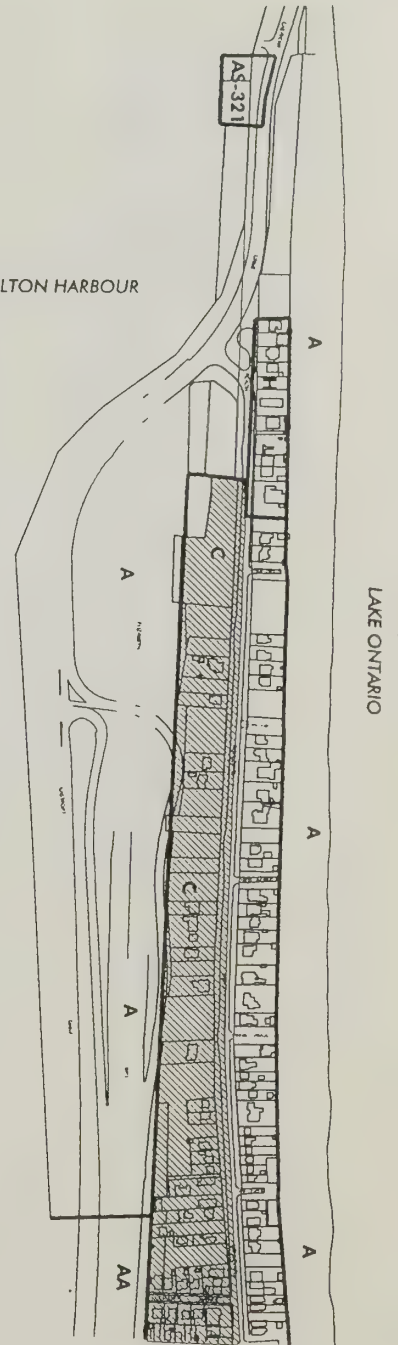


MAYOR

(1998) 15 R.P.D.C. 3, September 29
City Initiative 98-D



HAMILTON HARBOUR



NOTE: All dimensions are in metres

This is Schedule "A-1" to By-Law No. 98-281.....
Passed the10th day of November, 1998.

Clerk

Mayor

City of Hamilton

Schedule "A-1"

(3 Sheets)

Map Forming Part of
By-Law No. 98-281

Planning and Development Department

Legend



Modification to the "C" (Urban
Protected Residential etc.)
District regulations

North

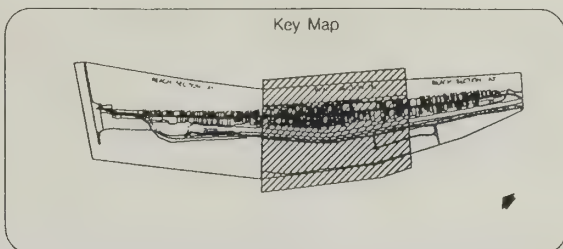


Scale
NOT TO SCALE

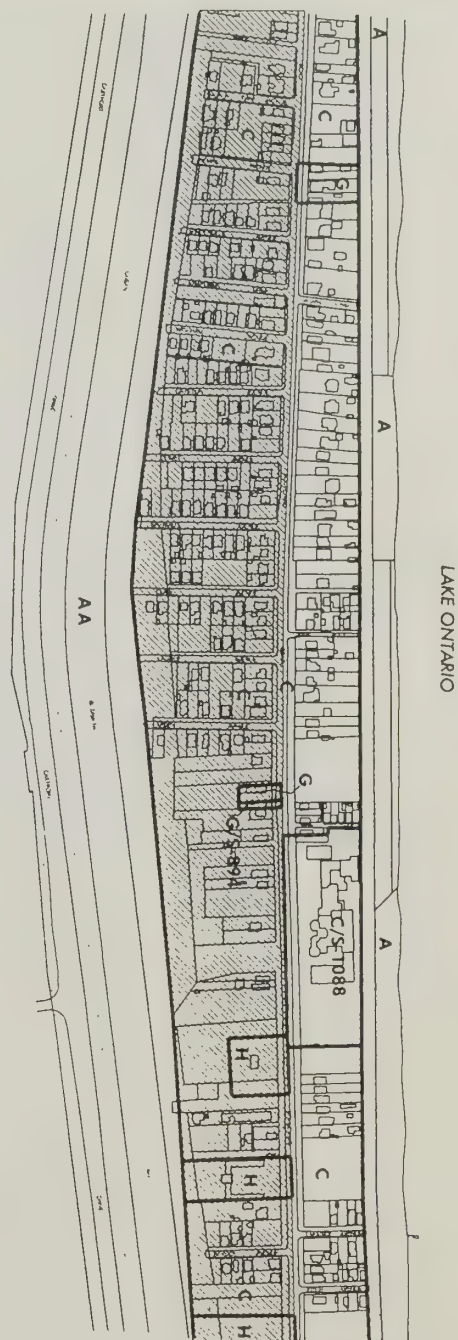
Date
October, 1998

Reference File No.
CI-98-D

Drawn By
J.Sims

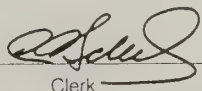


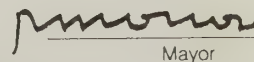
HAMILTON HARBOUR



NOTE: All dimensions are in metres

This is Schedule "A-2" to By-Law No. 98-281
Passed the 10th day of November, 1998.


Clerk


Mayor

City of Hamilton

Schedule "A-2"

(3 Sheets)

Map Forming Part of
By-Law No. 98-281

Planning and Development Department

Legend



Modification to the "C" (Urban Protected Residential etc.) District, the "G" (Neighbourhood Shopping Centre) District, and the "H" (Community Shopping and Commercial, etc.) District regulations

North

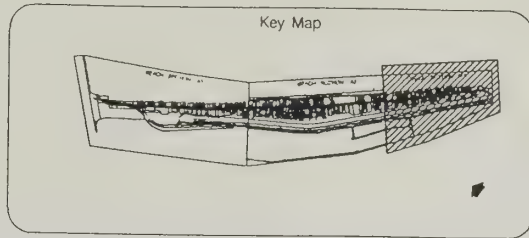


Scale
NOT TO SCALE

Date
October, 1998

Reference File No.
CI-98-D

Drawn By
J.Sims



HAMILTON HARBOUR



NOTE: All dimensions are in metres

This is Schedule "A-3" to By-Law No. 98-281
Passed the 10th day of November, 1998.

Clerk

Mayor

City of Hamilton

Schedule "A-3"

(3 Sheets)

Map Forming Part of
By-Law No. 98-281

Planning and Development Department

Legend



Modification to the "C" (Urban Protected Residential etc.) District, the "G" (Neighbourhood Shopping Centre) District, and the "H" (Community Shopping and Commercial, etc.) District regulations.

North



Scale
NOT TO SCALE

Date
September 1998

Reference File No.
CI-98-D

Drawn By
J.Sims

The Corporation of the City of Hamilton

BY-LAW NO. 98 - 290

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED EAST OF UPPER SHERMAN AVENUE, WEST OF
EAGLEWOOD DRIVE, NORTH OF DALIA AVENUE AND LOCATED
AT THE REAR OF 1465 UPPER SHERMAN AVENUE**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-38C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

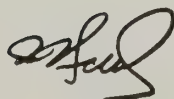
(a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

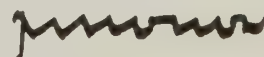
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 24th day of November

A.D. 1998



CLERK



MAYOR

(1998) 18 R.P.D.C. 2, October 27
Aurello Marrone and Laurie Marrone, Owners
ZAR-98-38



AVENUE

This is Schedule "A" to By-Law No. 98-131
Passed the 24TH day of NOVEMBER, 1998.

Mayor

Schedule "A"

to Amend By-Law No. 6593

Change in Zoning from:



"AA" (Agricultural) District, to
"C" (Urban Protected Residential,
etc) District.

Reference File No.

ZAR-98-38

Drawn By

B. B.



The Corporation of the City of Hamilton

BY-LAW NO. 98 - 291

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED NORTH OF STONE CHURCH ROAD EAST
AND WEST OF THE FUTURE EXTENSION OF DISTIN DRIVE**

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-18C of the District Maps appended to and forming part of By-law No. 6593, is amended,

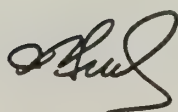
- (a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District,

the land, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

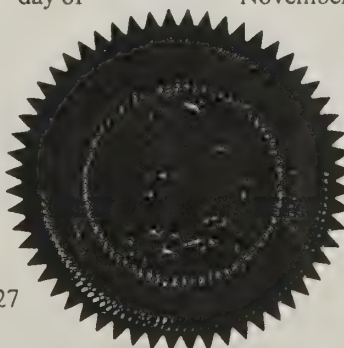
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 24th day of November

A.D. 1998

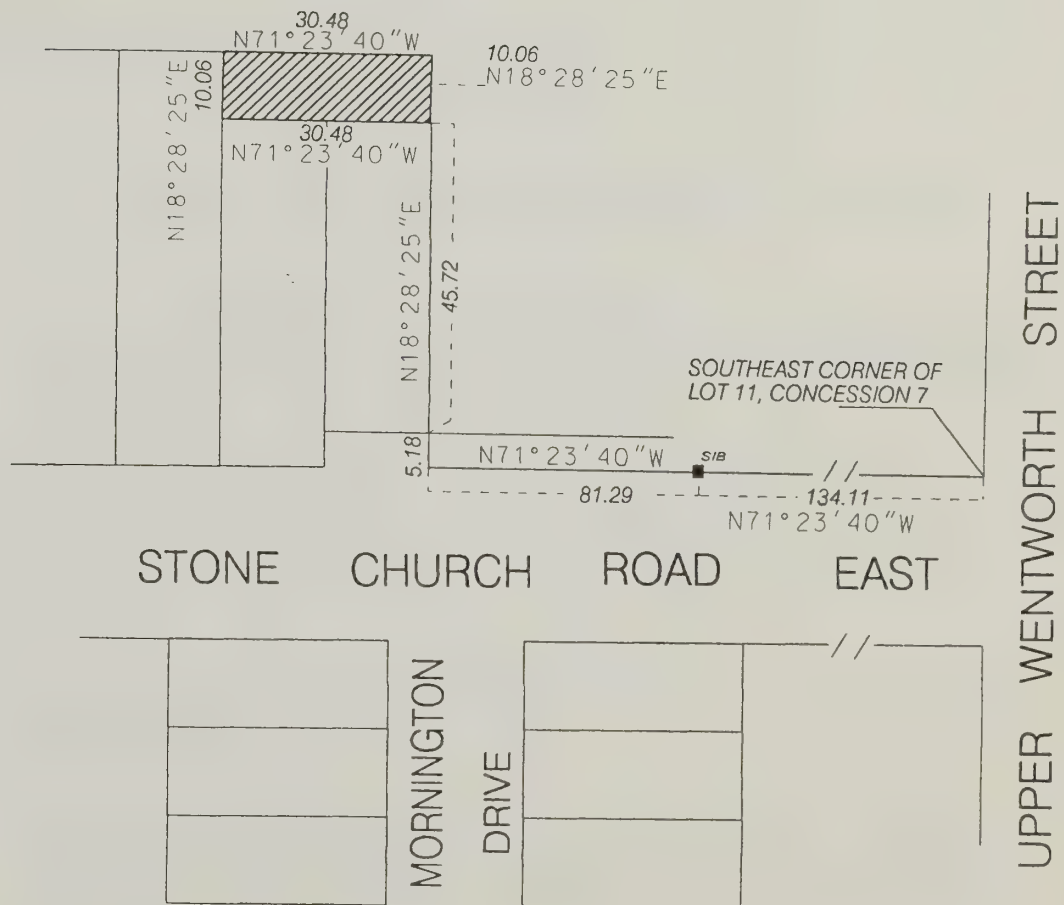


CLERK



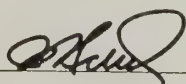
MAYOR

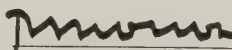
(1998) 18 R.P.D.C. 3, October 27
Silvestri Investments, Owner
ZAC-98-36



NOTE: All dimensions are in metres

This is Schedule "A" to By-Law No. 98-291.
Passed the 24TH day of NOVEMBER, 1998.


Clerk


Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 98-291
to Amend By-Law No. 6593

Planning and Development Department

Legend

Change in Zoning

 From "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District

North 	Scale NOT TO SCALE	Reference File No. ZAC-98-36
	Date November, 1998	Technician JSims

The Corporation of the City of Hamilton

BY-LAW NO. 98-295

To Amend:

Zoning By-law No. 6593

Respecting:

**LANDS LOCATED WEST OF EASTPORT DRIVE, SOUTH OF PIER 25
KNOW AS WINDERMERE BASIN**

WHEREAS it is intended to change the zoning of the lands and to establish special requirements under Section 19B of By-law No. 6593, hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the Corporation of the City of Hamilton passed By-law No. 83-240 on the 27th day of July 1983, to rezone the lands in the East and West Harbour, and with respect to the Windermere Basin established zoning of the land below water and including the existing water area as "L-s" (Planned Development – Special Study Area) District, the extent and boundaries of which are shown on a plan thereto annexed as Schedule "A-6";

AND WHEREAS the Council of the Corporation of the City of Hamilton passed By-law No. 83-259 on the 31st day of August 1983, to amend By-law No. 83-240 in order to clarify the application of the by-law;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982, as amended by Official Plan Amendment No. 157, proposed by the Council of The Corporation of the City of Hamilton but not yet approved by The Regional Municipality of Hamilton-Wentworth in accordance with the provisions of Sections 4, 17 and 21 of the Planning Act, R.S.O. 1990, Chapter P.13.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet Nos. E-70, E-80, E-80a, E-80b and E-80c of the District Maps, appended to and forming part of By-law No. 6593, is amended,
 - (a) by changing from "L-s" (Planned Development - Special Study Area) District to "A" - 'H' (Conservation, Open Space, Park and Recreation - Holding) District, the land comprised in Blocks "1", "2" and "3"; and,
 - (b) by changing from "L-s" (Planned Development - Special Study Area) District to "F-2" (Open Space - Harbour) District, the land comprised in Block "4",

the extent and boundaries of each of which Blocks 1, 2, 3 and 4 are shown on a plan hereto annexed as Schedule "A".

2. (a) The 'H' symbol applicable to the land referred to in section 1(a) shall be removed conditional on:

- (1) the owner submitting a signed Record of Site Condition (RSC) to the Region of Hamilton-Wentworth and the Ontario Ministry of Environment (MOE), to the satisfaction of the Region, including an acknowledgement of receipt of the RSC by the MOE;
 - (2) the owner submitting an Environmental Impact Statement (EIS) to the satisfaction of the Commissioner of Regional Environmental Services to evaluate the impacts of the specific proposals on the existing Environmentally Significant Areas (ESAs) and determine impacts of encouraging habitat given present soil and water quality concerns; and,
 - (3) the owner preparing and submitting a stormwater management plan to the satisfaction of the Commissioner of Regional Environmental Services and the Hamilton Region Conservation Authority;
- (b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in section 1(a) may at such time proceed in accordance with the "A" District provisions, subject to the special requirements in Section 3 of this By-law.

3. That the "A" (Conservation, Open Space, Park and Recreation) District provisions, as contained in Section 7 of Zoning By-law No. 6593, applicable to the land comprised in Blocks "1", "2" and "3", are amended to the extent only of the special requirement that,

- (a) That notwithstanding Section 7(1) of Zoning By-law No. 6593, the following uses shall also be permitted:
 - (i) Visitor Centre, Museum, Trail Centre, and Information Centre,
 - (ii) Accessory Uses
 - 1. Accessory buildings, structures, or uses.
 - 2. Refreshment stand.
 - (iii) Business Identification Signs that are Ground Signs or Wall Signs of an occupancy or use of land on which the sign is situate.
- (b) Every sign shall conform with the following requirements:
 - (i) No sign shall exceed 2.0 m in vertical dimension.
 - (ii) The total aggregate area of all signs shall not exceed 0.5 square metres for every 0.5 m of frontage on which the lot abuts.
 - (iii) Every wall sign shall be parallel to the wall to which it is affixed.
 - (iv) No sign shall be illuminated unless the source of light is steady and suitably shielded to contain illumination
- (c) Clauses (iii), (iv) and (v) of Section 7.(1) of Zoning By-law No. 6593 shall not be permitted.

4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "A" District provisions, subject to the special requirements referred to in section 3.

5. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1418.

6. Sheet Nos. E-70, E-80, E-80a, E-80b and E-80c of the District Maps is amended by marking the lands referred to in section 3 of this by-law, S-1418.

7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED this 24th

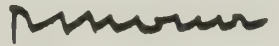
day

November

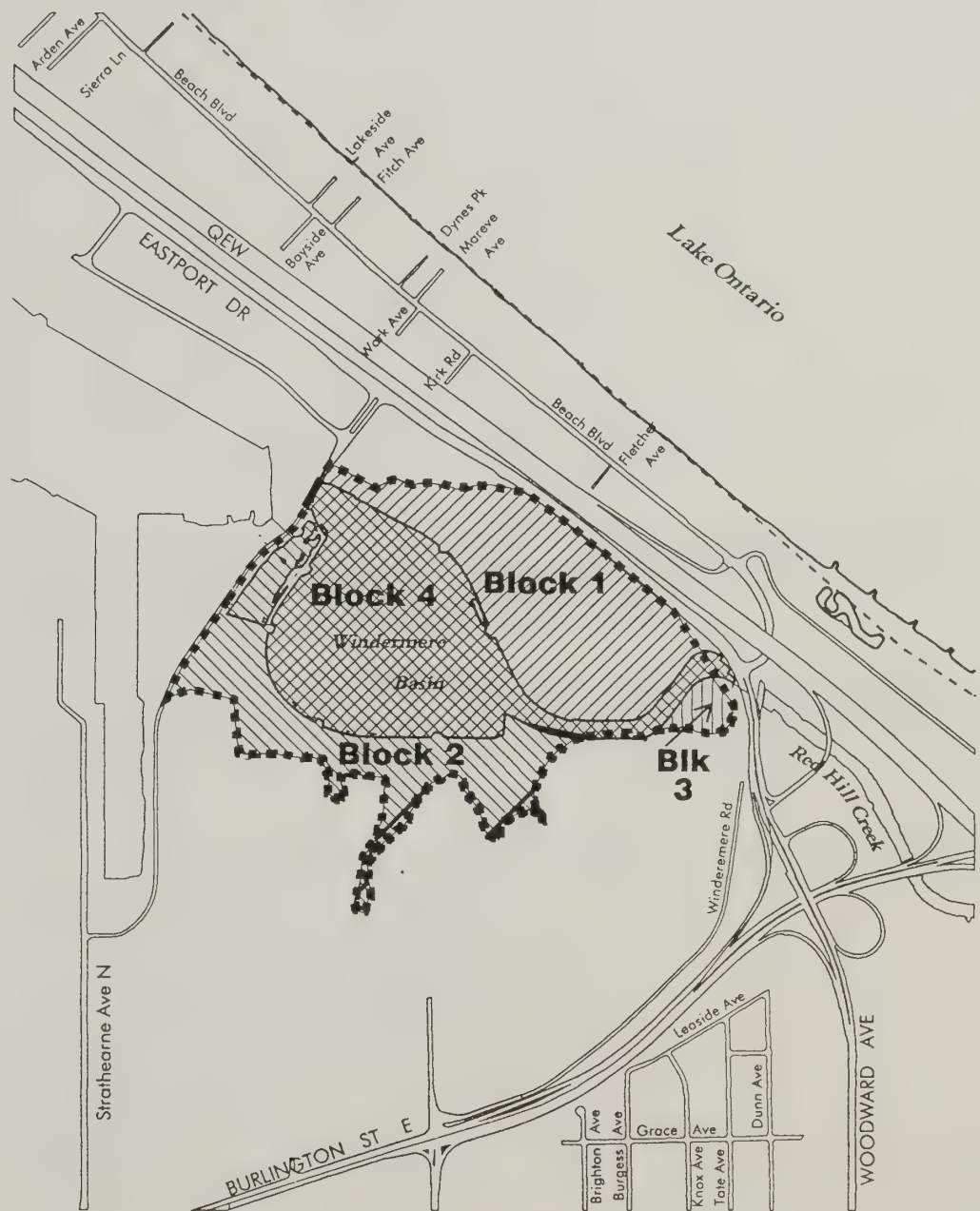
A.D. 1998.



CLERK



MAYOR



This is Schedule "A" to By-Law No. 98-295
Passed the 24TH day of NOVEMBER, 1998.

[Signature]
Clerk

[Signature]
Mayor

City of Hamilton

Schedule "A"

Map Forming Part of
By-Law No. 98-295
to Amend By-Law No. 6593

Planning and Development Department

Legend

- Blocks
- 1 Change in Zoning from:
 - 2 "L-s" (Planned Development - Special Study) District to "A" 'H' (Conservation, Open Space and Recreation - Holding) District.
 - 3
- Block 4
- "L-s" (Planned Development - Special Study) District to "F-2" (Open Water) District.

North



Scale

NOT TO SCALE

Reference File No.

CI-98-C

Date

October 1998

Drawn By

B. B.

The Corporation of the City of Hamilton

BY-LAW NO. 98- 308

To Repeal:

Zoning By-law No. 98-295

Respecting:

**LANDS LOCATED WEST OF EASTPORT DRIVE, SOUTH OF PIER 25
KNOWN AS WINDERMERE BASIN**

WHEREAS the Council of The Corporation of the City of Hamilton passed By-law No. 98-295 on the 24th day of November 1998 to amend Zoning By-law No. 6593, as provided for therein, in respect of the above-captioned lands;

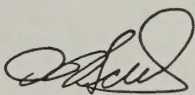
AND WHEREAS the Council of The Corporation of the City of Hamilton, in adopting Section of the 23rd Report of the Planning and Development Committee at its meeting held on the 8th day of December, 1998, recommended that By-law No. 98-295 be repealed.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

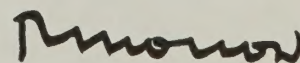
1. By-law No. 98-295 is hereby repealed.

PASSED this 8th day of December

A.D. 1998



MUNICIPAL CLERK



MAYOR





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30072	BLUE/BLEU	BU3007
30074	GREY/GRIS	BD3007
30075	GREEN/VERT	BP3007
30078	RED/ROUGE	BF3007

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